ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ –೧೬೧	ಬೆಂಗಳೂರು, ಮಂಗಳವಾರ, ೨೩, ಜೂನ್, ೨೦೨೬ (ಆಷಾಢ, ೦೨, ಶಕವರ್ಷ, ೧೯೪೮)	ಸಂಚಿಕೆ ೧೨೧
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ಭಾಗ ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು, ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 10 ಕೇನಿಪ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ:22.06.2026.

ದಿನಾಂಕ: 08.05.2026ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Industrial Relations (Central) Rules, 2026ನ GSR 342(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರುಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF LABOUR AND EMPLOYMENT

NOTIFICATION

New Delhi, the 8th May, 2026

G.S.R. 342(E).—Whereas, the draft of the Industrial Relations (Central) Rules, 2025, as required under sub-section (1) of section 99 of the Industrial Relations Code, 2020 (35 of 2020) were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (i) vide number G.S.R. 930(E), dated the 30th December, 2025 inviting objections and suggestions from all persons likely to be affected thereby within a period of thirty days from the date on which copies of the Gazette containing the said notification were made available to the public;

And whereas, the said draft notification were made available to the public on the 30th December, 2025;

And whereas, objections and suggestions received from persons and stakeholders have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 99 of the Industrial Relations Code, 2020 (35 of 2020) and in supersession of the Industrial Disputes (Central) Rules, 1957, in so far as they relate to Part II and Parts V to VIII; and the Industrial Employment (Standing Orders) Central Rules, 1946, in so far as they relate to these rules except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

CHAPTER I
PRELIMINARY

1. Short title and commencement.— (1) These rules may be called the Industrial Relations (Central) Rules, 2026**.**

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions**.— (1) In these rules, unless the context otherwise requires,—

(a) "Code" means the Industrial Relations Code, 2020 (35 of 2020);

(b) "electronically" means any information submitted by email or uploading on the official portal or digital payment in any mode for the purposes of the Code;

(c) "Form" means the forms set forth in the Schedule to these rules;

(d) "section" means a section of the Code.

(2) Words and expressions used in these rules which are not defined, but are defined in the Code, shall have their respective meanings assigned to them in the Code.

3. References of certain authorities and officers of industrial establishments under the Code.– (1) The reference to the Central Government or the Government of India, in relation to an industrial dispute in respect of a Union territory without legislature, shall be construed as a reference to the Administrator of such Union territory, for which the appropriate Government is the Central Government; and the reference to the Chief Labour Commissioner (Central), Deputy Chief Labour Commissioner (Central), Regional Labour Commissioner (Central) and the Assistant Labour Commissioner (Central) shall be construed as reference to the respective appropriate authority, appointed in that behalf by the Administrator of that Union territory.

(2) For the purposes of these rules, with reference to clause (m) of section 2 of the Code, it is hereby specified that—

(a) in relation to an industry, not being an industry referred to in sub clause (ii) thereof, carried on by or under the authority of a Ministry or Department of the Central Government or a State Government, the officer-in-charge of the industrial establishment shall be the employer in respect of that establishment; and

(b) in relation to an industry concerning railways, carried on by or under the authority of a Ministry or Department of the Central Government,—

(i) the General Manager thereof shall be the employer in respect of regular railway servants other than casual labour in the case of an establishment of a Zonal Railway;

(ii) the Officer-in-charge of the establishment shall be the employer in respect of regular railway servants other than casual labour in the case of an establishment independent of a Zonal Railway; and
(iii) the District Officer-in-charge or the Divisional Personnel Officer or the Personnel Officer, as the case may be, shall be the employer in respect of casual labour employed on Zonal Railway or any other railway establishment independent of a Zonal Railway.

4. Memorandum of settlement.– (1) The settlement arrived at in the course of conciliation proceedings or a written agreement between the employer and worker arrived at otherwise than in the course of conciliation proceeding shall be in Form I.

(2) The settlement shall be signed, —

(a) by the employer or by his authorised agent, or where the employer is an incorporated company or other body corporate, by the agent, manager or other principal officer of such company or such other body corporate; and

(b) on behalf of workers, by any of the following office bearers of Trade Union, namely: –

(i) the President; or

(ii) the Vice-President; or

(iii) the Secretary (including the General Secretary); or

(iv) the Joint Secretary; or

(v) any other office bearer of the Trade Union authorised in this behalf by the President and Secretary of the Union; or

(vi) five representatives of workers duly authorised in this behalf at the meeting of the workers held for the purpose.

(3) In case of an industrial dispute between individual worker and employer, the settlement shall be signed by the employer and the worker concerned.

(4) Where the settlement is arrived at in the course of conciliation proceedings, the conciliation officer shall send a report thereof to the Central Government together with a copy of the memorandum of settlement signed by the parties to the dispute.

(5) Where a settlement is arrived at between an employer and his worker otherwise than in the course of conciliation proceedings, the parties to the settlement shall jointly send a copy thereof electronically or by speed post to the concerned Deputy Chief Labour Commissioner (Central) and to the conciliation officer.

(6) The conciliation officer shall file all settlements effected under this rule in respect of industrial disputes in the area within his jurisdiction in the register maintained electronically or otherwise.

(7) The register referred to in sub-rule (6), shall contain the details including serial number, name of the industry, parties to the settlement, date of settlement, remarks and whether settlement was arrived at after the intervention of conciliation officer or by mutual negotiation:

Provided that signature of the conciliation officer on the agreement shall not be necessary where the agreement for settlement is arrived at outside conciliation:

Provided further that nothing in this rule shall prohibit a settlement between a worker or workers or Trade Union and an employer on mutually agreed terms and such settlement may be in a format other than in Form I.

CHAPTER II

BI-PARTITE FORUMS

5. Works Committee and its constitution.– (1) Every employer to whom an order made by the Central Government under sub-section (1) of section 3 of the Code relates, shall forthwith proceed to constitute a Works Committee (hereinafter in this chapter referred to as the "Committee") to promote measures for securing and preserving amity and good relations between the employer and workers and, to that end, to comment upon matters of common interest or concern, as specified in these rules.

(2) (i) The number of members constituting the Committee shall be fixed so as to afford representation to the various categories, groups and class of workers engaged in, and to the sections, shops or departments of the industrial establishment.

(ii) The total number of members of the Committee shall not exceed twenty.

(iii) The number of representatives of the workers in the Committee shall not be less than the number of representatives of the employer therein:

Provided that the industrial establishment in which women workers are employed shall have adequate representation of women workers in the Committee and such representation shall not be less than the proportion of women workers to the total workers employed in the industrial establishment.

(3) The representatives of the employer in the Committee shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with, or associated with the working of the industrial establishment.

(4) Where the workers of the industrial establishment are members of a registered Trade Union or Trade Unions, the employer shall request such registered Trade Union or Trade Unions to inform him in writing as to—

(a) number of the workers who are members of such registered Trade Union or Trade Unions; and

(b) if the employer has reason to believe that the information furnished to him by the registered Trade Union or Trade Unions is false, he may, after informing such registered Trade Union or Trade Unions, refer the matter to the Regional Labour Commissioner (Central), who shall, after hearing the parties, decide the matter and his decision shall be final.

(5) On receipt of the information under sub-rule (4), the employer shall provide for the choosing of the worker's representative of the Committee in the following manner, namely:—

(a) in the case of a negotiating union under sub-section (2) or sub-section (3) of section 14 of the Code, such negotiating union shall nominate the worker's representatives of the Committee;

(b) in the case of the negotiating council under sub-section (4) of section 14 of the Code, every registered Trade Union representing in the negotiating council shall be nominated in the Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Union;

(c) where there is no recognised negotiating union or negotiating council referred to in clauses (a) and (b), the workers of the industrial establishment shall elect amongst themselves the worker's representatives of the Committee:

Provided that the employer may, deploy an electronic platform for conducting the election process over an information technology application, online platform or such other platform to enable the election of the representatives of workers to the Committee under this clause:

Provided further that where a registered Trade Union fails to furnish the information under sub-rule (4) within one month of the date on which it is so called for, then, such Trade Union shall for the purpose of this rule be treated as if it did not exist:

Provided also that where any reference has been made by the employer under sub-rule (4), the process of choosing the worker's representative relating thereto shall be held on receipt of the decision of the concerned Regional Labour Commissioner (Central).

(6) The employer may, if he thinks fit, direct that the workers shall vote either by groups, sections, shops or departments.

(7) Any worker, of not less than nineteen years of age and with a service of not less than one year in the industrial establishment may, if nominated as provided in this rule, be a candidate for election as a worker's representative of the Committee:

Provided that such service qualification shall not apply to the first election in an industrial establishment which has been in existence for less than a year.

Explanation. —For the purposes of this sub-rule, a worker who has put in continuous service for not less than one year in two or more industrial establishments belonging to the same employer shall be deemed to have satisfied the service qualification specified therein.

(8) All workers who are not less than eighteen years of age and who have put in not less than six months' continuous service in the industrial establishment shall be entitled to vote in the election of worker's representative of the Committee.

Explanation.— For the purposes of this sub-rule, a worker who has put in continuous service of not less than six months in two or more industrial establishments belonging to the same employer shall be deemed to have satisfied the service qualification specified therein.

(9) (i) The employer shall give a minimum time period of three working days for filing of nomination along with other requisite details while fixing a date as the closing date for receiving nominations from candidates for election as worker's representatives of the Committee.

(ii) The date fixed by the employer for holding the election referred to in clause (i) shall not be earlier than three days and not later than fifteen days after the closing date for receiving nominations.

(iii) The date of election fixed under clause (i) shall be notified seven days in advance and such notice shall specify the number of seats to be elected and shall be affixed on the notice board or electronic notice board of the industrial establishment and given adequate publicity amongst the workers.

(10) (i) Every nomination for election as worker's representative of the Committee shall be made on a nomination paper to be provided by employer and the copies thereof shall be supplied by the employer to the workers requiring them.

(ii) Each nomination paper referred to in clause (i) shall be signed by the candidate to whom it relates and attested by at least two other voters belonging to the group, section, shop or department, which the candidate seeking election shall represent, and shall be delivered to the employer.

(11) (i) On the day following the last day fixed for filing nomination papers, the nomination papers shall be scrutinised by the employer in the presence of the candidates and the attesting persons and those nominations which are not valid shall be rejected.

(ii) A nomination paper shall be held to be not valid under clause (i), if—

(a) the candidate nominated is ineligible for being a candidate under sub-rule (7); or

(b) the requirements of sub-rule (10) have not been complied with:

Provided that where a candidate or an attesting person is not able to be present at the time of scrutiny, the candidate may send a duly authorised nominee for this purpose.

(12) Any candidate whose nomination for election has been accepted may withdraw his candidature within forty-eight hours of the completion of scrutiny of the nomination papers.

(13) (i) In case the number of candidates who have been validly nominated for election as worker's representative of the Committee is equal to the number of seats, the candidates as such shall be forthwith declared as duly elected.

(ii) Where, in any industrial establishment, the number of candidates validly nominated for election as worker's representative of the Committee is more than the number of seats allotted to it, voting shall take place on the day fixed for election.

(14) (i) The Committee shall have among its office-bearers, a Chair person, Vice-Chairperson, Secretary and Joint-Secretary.

(ii) The Chairperson of the Committee shall be nominated by the employer from amongst the employer's representatives of the Committee and he shall, as far as possible, be the head of the industrial establishment.

(iii) The Vice-Chairperson shall be elected by the members of the Committee representing the workers, from amongst themselves:

Provided that in the event of equality of votes in the election of the Vice-Chairperson, the matter shall be decided by a draw of lot.

(iv) The Secretary and Joint-Secretary of the Committee shall be elected every year.

(v) The Committee shall elect the Secretary and Joint Secretary and where the Secretary is elected from amongst the representatives of the employers, the Joint Secretary shall be elected from amongst the representatives of the workers and *vice versa*:

Provided that the post of the Secretary or Joint Secretary, as the case may be, shall not be held by a representative of either the employer or the workers for three consecutive years:

Provided further that the employer's representatives shall not take part in the election of the Secretary or Joint Secretary, as the case may be, and the representatives of the workers shall be entitled to vote in elections for the post of Secretary or Joint Secretary:

Provided also that in the event of equality of votes in an election under this sub-rule, the matter shall be decided by a draw of lot.

(15) (i) The term of office of the members of the Committee other than a member chosen to fill a casual vacancy, shall be three years.

(ii) Every member chosen to fill a casual vacancy shall hold office for the remaining period of the term of his predecessor.

(iii) In case any member fails to attend three consecutive meetings of the Committee without obtaining leave from the Committee, his membership shall be forfeited.

(16) In the event of worker's representative ceasing to be a member under clause (iii) of sub-rule (15) or ceasing to be employed in the industrial establishment or in the event of his resignation, death or otherwise, his successor shall be chosen in accordance with the provisions of this rule for the remaining period of the Committee from the same group to which the member vacating the seat belonged.

(17) The Committee shall have the right to co-opt persons employed in the industrial establishment having particular or special knowledge of a matter under discussion in a consultative capacity and such co-opted member shall not be entitled to vote and shall be present at meetings only for the period during which the particular question is before the Committee.

(18) (i) The Committee may meet as often as necessary but not less often than once in three months.

(ii) The Committee shall at its first meeting regulate its own procedure.

(19) (i) The employer shall provide a place for holding meetings of the Committee and provide all necessary facilities for carrying out the work of the Committee.

(ii) The Committee shall ordinarily meet during working hours of the industrial establishment concerned on any working day and the representatives of the workers shall be deemed to be on duty while attending the meeting.

(iii) The Secretary of the Committee may with the prior approval of the Chairperson, put up notice regarding the functions of the Committee on the notice board of the industrial establishment.

(20) The employer shall submit the details of the constitution and the functioning of the Committee as a part of unified annual return provided in the rules made in this behalf under the Occupational Safety, Health and Working Condition Code, 2020 (37 of 2020).

(21) The Central Government, or the officer authorised in its behalf, may after making such inquiry as it or he may deem fit, dissolve any Committee at any time, by an order for reasons to be recorded in writing, on being satisfied that the Committee has not been constituted in accordance with the provisions of these rules or that not less than two-thirds of the number of representatives of the workers have without any reasonable justification failed to attend three consecutive meetings of the Committee or that the Committee has, for any other reason, ceased to function:

Provided that where the Committee is dissolved under this sub-rule, the employer may, and if so required by the Central Government or, as the case may be, by such officer, shall take steps to re-constitute the Committee in accordance with these rules.

6. Grievance Redressal Committee.– (1) The Grievance Redressal Committee (hereinafter in this Chapter referred to as the "Grievance Committee") in an industrial establishment employing twenty or more workers, shall consist of equal number of members representing the employer and workers, which shall not exceed ten members.

(2) The representatives of the employer in the Grievance Committee shall be nominated by the employer and shall, as far as may be possible, be officials in direct touch with or associated with the working of the industrial establishment, preferably the heads of major departments of the industrial establishment.

(3) The representative of workers of the Grievance Committee shall be chosen in the following manner, namely: —

(a) where there is a negotiating union under sub-section (2) or sub-section (3) of section 14 of the Code, such negotiating union shall nominate the worker's representatives of the Grievance Committee;

(b) in the case of a negotiating council under sub-section (4) of section 14 of the Code, every registered Trade Union representing in the negotiating council shall be nominated in the Grievance Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Union;

(c) where there is no recognised negotiating union or negotiating council referred to in the clauses (a) and (b), the workers of the industrial establishment shall choose amongst themselves the worker's representatives of the Grievance Committee:

Provided that the employer may, deploy an electronic platform for choosing worker's representatives under this clause, over an information technology application, online platform or such other like platform:

Provided further that there shall be adequate representation of women workers in the Grievance Committee and such representation shall not be less than the proportion of women workers to the total workers employed in the industrial establishment.

(4) The term of the members of the Grievance Committee shall be three years.

(5) Where there is no recognised negotiating union or negotiating council and if any dispute arises regarding choosing of the worker's representative to the Grievance Committee, the matter may be referred to the concerned Regional Labour Commissioner (Central), who shall, after hearing the parties, decide the matter, whose decision shall be final.

7. Application to Grievance Committee.– (1) Any aggrieved worker may file an application stating his grievance before the Grievance Committee, along with name, designation, worker code or token number, department where he is posted, length of his service in years, category of worker, address for correspondence, contact number, details of grievance and the relief sought therefor.

(2) The application referred to in sub-rule (1) may be sent electronically or otherwise.

(3) The application referred to in sub-rule (1) shall be filed within one year from the date on which the cause of action arose.

8. Application to conciliation officer.– Any worker aggrieved by the decision of the Grievance Committee or whose grievance is not resolved by the said Committee within thirty days of receipt of the application, may file an application online on designated portal of the Ministry of Labour and Employment, or by speed post, or in person, within a period of sixty days from the date of the decision of the Grievance Committee or from the date on which the period specified in sub-section (*6*) of section 4 of the Code expires, as the case may be, to the conciliation officer through the Trade Union, of which he is a member:

Provided that in case of manual receipt of such application through speed post or in person, the conciliation officer shall get the same digitized and enter the particulars of the application in the online mechanism under intimation to the Trade Union and worker.

CHAPTER III

TRADE UNIONS

9. Manner of recognition of negotiating union or negotiating council.-

(1) Matters for negotiation.- The matters pertaining to workers which the negotiating union or the negotiating council, as the case may be, shall negotiate with the employer of the industrial establishment under sub-section (1) of section 14 of the Code are specified, below: -

(i) the classification of grades and categories of workers;
(ii) order passed by an employer under the standing orders applicable in the industrial establishment;
(iii) the wages of the workers including their wage period, dearness allowance, bonus, increment, customary concession or privileges, compensatory and other allowances;
(iv) hours of work of the workers, rest days, number of working days in a week, rest intervals, working of shifts;
(v) leave with wages and holidays;
(vi) promotion and transfer policy and disciplinary procedures;
(vii) quarter allotment policy for workers;
(viii) safety, health and working conditions and related standards;
(ix) the matters pertaining to conditions of service and terms of employment of the workers which are not covered in the foregoing clauses; and
(x) any other matter which is agreed between employer of the industrial establishment and negotiating union or negotiating council, as the case may be.

(2) Criteria for recognising single registered Trade Union.- under sub-section (2) of section 14 of the Code.- Where there is only one registered Trade Union operating in an industrial establishment having its membership not less than thirty per cent. of the total workers employed in the industrial establishment, the employer of such industrial establishment shall recognise such Trade Union as the sole negotiating union of the workers.

(3) Manner of verification of membership of Trade Unions under sub-sections (3) and (4) of section 14 of the Code.- (a) (i) The Central Government shall appoint a verification officer (hereinafter in this chapter, referred to as the verification officer) for the purpose of verification of membership of the Trade Unions in the industrial establishment who shall not have any interest with any of the Trade Unions in the industrial establishment, whose membership verification is to be carried out by him:

Provided that the process for recognition of the negotiating union or the negotiating council, as the case may be, shall commence three months before the expiry of the term of the existing recognition period of the negotiating union or the negotiating council, as the case may be, recognised by the employer under the Code.

(ii) The verification officer may utilise the services of other officers to assist him depending upon the quantum of work of membership verification.

(iii) The verification officer shall carry out the work of membership verification in the industrial establishment within the time as determined by the Central Government.

(b) The employer of the industrial establishment shall bear all the expenses and make arrangements in connection with the verification of membership of Trade Unions under clause (a).

(c) The Trade Unions may submit an application to the employer of the industrial establishment to accord status of negotiating union or the representatives of negotiating council of the workers, as the case may be, on fulfillment of the following conditions namely,-

(i) such Trade Union has a valid registration under the Trade Unions Act, 1926 (16 of 1926) and continuing as such or has the registration under the Industrial Relations Code, 2020 (35 of 2020), as the case may be; and

(ii) the application for recognition by the Trade Union is accompanied with a copy of the registration certificate, a copy of list of members, details of the membership subscription and a copy of latest annual return of the Trade Union submitted to the Registrar of Trade Unions.

(d) (i) In case the negotiating union or negotiating council, is constituted under the Code, the employer of the industrial establishment shall initiate action before expiry of the tenure of negotiating union or negotiating council, sufficiently in advance but not later than three months before the expiry of the tenure of negotiating union or negotiating council, as the case may be.

(ii) The date of reckoning of verification of membership of the Trade Unions shall be fixed by the verification officer for the industrial establishment.

(iii) The employer of the establishment shall forward the documents and records submitted by Trade Unions, to the verification officer.

(iv) On receipt of the documents and records, the verification officer shall scrutinise the records and documents submitted by the Trade Union to ascertain the status of registration of Trade Unions and related matters.

(v) The verification officer shall hold meeting with representatives of employer of industrial establishment and all participating Trade Unions to decide the process of verification of the membership of Trade Unions through secret ballot.

(vi) The employer may, in consultation with the verification officer deploy an electronic process for conducting the election over an information technology application, online platform or like other platform.

(4) Verification of membership through secret ballot.- (a) The verification officer shall convene meeting of representatives of all registered Trade Unions functioning in the industrial establishment sixty days before the date of actual voting to decide -

(i) the publication of voters list;
(ii) the date, time, mode of voting, place of voting;
(iii) the date, time and place of counting; and
(iv) other modalities relating to secret ballot.

(b) The verification officer shall cause the minutes of the meeting to be prepared and signed by all participating Trade Unions.

(c) All participating Trade Unions shall be allotted symbols in the same meeting.

(d) In case no decision could be taken regarding date, time, mode of voting, place of voting, allotment of symbols, date, time and place of counting and like other matters in the meeting, the decision of the verification officer shall be final and he shall publish the schedule, programme and procedure of such secret ballot election.

(e) All workers whose names are borne on the muster roll of the industrial establishment on the date of reckoning shall be eligible to cast their vote.

(f) The voters list shall be prepared by the employer of the industrial establishment on the basis of names of the workers borne on the muster roll referred to in clause (e) and the voters list shall contain the name, father's name, designation, worker number or identity card number issued by the employer and place of posting of the worker.

(g) The final voter list shall be published by the employer after obtaining the approval of verification officer and be displayed at notice board at the main entrance and also on website, if any, of the industrial establishment within two days of finalisation of the list and a copy of such voters list shall also be sent to the participating Trade Unions by hand or by speed post or through electronic mode.

(h) The verification officer shall display the list of the name of the participating Trade Unions with the symbol allotted to them on the notice board at the main entrance and website, if any, of the industrial establishment within two days of finalisation of the list.

(i) The voting and counting of votes shall be held on the date, time and place fixed by the verification officer under the supervision of the verification officer and during the counting, agents of all participating Trade Unions shall be allowed to remain present.

(j) After final counting of votes, the result shall be declared by the verification officer which shall contain the name of all Trade Unions who participated in election, total number of votes polled and the number of votes cast in favour of each of the trade unions which participated in the election.

(5) Verification report.- The verification officer shall submit verification report along with the result sheet to the employer of industrial establishment.

(6) Recognition of Trade Union as negotiating union or constituents of negotiating council.- (a) On the basis of verification report submitted by verification officer, the employer of the industrial establishment shall grant recognition to the Trade Union as a negotiating union or a constituent of negotiating council.

(b) The recognition granted under clause (a), either as negotiating union or the negotiating council shall be valid for three years from the date of recognition or constitution or such further period not exceeding five years, in total, as may be mutually agreed by the employer and the Trade Union, as the case may be.

(7) Facilities provided by industrial establishment.- (a) In an industrial establishment, where there is a negotiating union or negotiating council, as the case may be, the employer of such industrial establishment shall provide the following facilities namely: -

(i) notice board for the purpose of displaying information relating to activities of the negotiating union or negotiating council;

(ii) venue and necessary facilities for holding discussions by the negotiating union or negotiating council, as per the schedule and agenda to be settled between employer of the industrial establishment and the negotiating union or negotiating council;

(iii) venue and necessary facilities for holding discussions amongst the members of the negotiating union or constituents of negotiating council;

(iv) entrance of the office bearers of the negotiating union or negotiating council, in the industrial establishment for the purposes of ascertaining the matters relating to working conditions of the workers;

(v) employer of an industrial establishment, having three hundred or more workers, shall provide suitable office accommodation with necessary facilities to the negotiating union or negotiating council.

(b) The employer of the industrial establishment shall deduct subscription of the members of the Trade Union on the basis of the written consent of the worker.

(c) The office bearers of the negotiating union or negotiating council shall be treated on duty while holding meetings with the employer.

(8) Application for adjudication of dispute before Tribunal.- Where any dispute arises between –

(i) one Trade Union and another; or

(ii) one or more workers who are members of Trade Union and the Trade Union regarding registration, administration or management or election of office bearers of the Trade Union; or

(iii) one or more workers who are refused admission as members and the Trade Union; or

(iv) where the dispute is in respect of a Trade Union which is a federation of Trade Unions and office bearer authorised in this behalf by the Trade Union,

the aggrieved worker or the Trade Union, as the case maybe, may make an application in Form-II to the Tribunal having jurisdiction within a period of one year from the date on which the dispute arises, electronically or by speed post or in person.

CHAPTER IV

STANDING ORDERS

10. Model Standing Orders. - The Model Standing Orders for the purposes of the Code in respect of industrial establishments in mine sector, manufacturing sector and service sector shall be those set out under the Model Standing Orders, 2026.

Forwarding of information to certifying officer**.–** (1) In case the employer adopts the Model Standing Orders of the Central Government referred to in section 29 of the Code with respect to matters relevant to his industrial establishment or undertaking, the employer shall inform the concerned certifying officer electronically or in person or by speed post, the specific date from which the provisions of the Model Standing Orders have been adopted.

(2) The Model Standing Order adopted under sub-rule (1) shall apply to the industrial establishment and to all its units.

(3) On receipt of information under sub-rule (1), the certifying officer shall enter the details of the industrial establishment which has adopted the Model Standing Order in the register specified in rule 17.

(4) Where the certifying officer observes that the industrial establishment, which has informed adoption of Model Standing Orders is engaged in activities other than for which Model Standing Orders have been adopted, he may, within a period of thirty days from such receipt of information of Model Standing Orders so adopted, direct such employer to include or adopt certain provisions which are relevant to his industrial establishment and indicate those relevant provisions to comply the same within a period of thirty days from the date of the receipt of such direction and send a compliance report in respect of those provisions only which the certifying officer has so directed to get included.

(5) If no observation is made by the certifying officer within a period of thirty days of the receipt of the information specified in sub-rule (1), the Model Standing Order shall be deemed to have been certified by the certifying officer.

(6) The provisions of the Model Standing Orders adopted in accordance with the provisions of these rules shall come in force with effect from the date specified in sub-rule (1).

(7) The certifying officer shall not raise any observation, if the industrial establishment is engaged in activities which are wholly covered by the activities of the industrial establishment to which the standing orders apply.

11. Choosing of representatives of workers for issuing notice where there is no Trade Union.– (1) Where there is no Trade Union in the industrial establishment or undertaking, the certifying officer shall call a meeting of the workers to choose their representatives, to whom shall, upon their being chosen, issue notice along with a copy of the standing order or modification, as the case may be, in the language spoken and understood by the majority of the workers, requiring comments or suggestions, if any, which the workers may desire to make to the draft standing orders to be submitted within fifteen days from the date of receipt of such notice.

(2) The Trade Union or negotiating union or constituent of negotiating council shall be given a copy of the draft standing orders or modification, as the case may be, in the language spoken and understood by the majority of the workers, for seeking their comments or suggestions, if any, within fifteen days from the date of the receipt of the notice in this rule.

12. Authentication of certified standing order.– The certified standing orders or the modifications in the standing orders shall be authenticated by the certifying officer and shall be sent electronically and a hard copy thereof by speed post, within seven days from the date of such authentication to the employer and all the registered Trade Unions or chosen representative of workers:

Provided that there shall not be any requirement of authentication under this rule in cases of deemed certification under sub-section (3) of section 30 of the Code and in cases where the employer has certified adoption of Model Standing Orders.

13. Statement to accompany draft standing orders.- (1) The draft standing order shall be accompanied with a statement containing, the name of the industrial establishment or undertaking concerned, address, e-mail address,

contact number and the strength and details of workers employed therein including particulars of Trade Unions, if any, to which such workers belong.

(2) The draft modification in an existing standing order shall be accompanied with a statement containing the particulars of such standing order which is proposed to be modified along with a tabular statement containing details of each of the provision of that standing order in force and the proposed modification therein and reasons therefor.

(3) The statement referred to in sub-rules (1) and (2) shall be signed by a person authorised by the industrial establishment or undertaking.

(4) The Model Standing Orders, if modified, shall also apply to all the units of the industrial establishment or undertaking.

14. Conditions for submission of draft standing orders in similar establishment.— In case of group of employers engaged in similar industrial establishments, they may, after consultation with the concerned Trade Union, submit a joint draft of standing order under section 30 of the Code and the provisions of these rules shall apply:

Provided that the joint draft of standing orders, in cases of group of employers engaged in similar industrial establishments, shall be drafted and submitted to the Additional Chief Labour Commissioner (Central), who shall, in consultation with the concerned certifying officers, certify such joint draft standing orders, after recording reasons therefor:

Provided further that the certifying officer shall give notice to the concerned parties and provide reasonable opportunity of being heard before certifying the standing orders.

15. Disposal of appeal.— (1) An employer or Trade Union or the negotiating union or negotiating council, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking, may prefer an appeal against the order of the certifying officer made under sub-section (5) of section 30 of the Code within sixty days of the receipt of such order, and for that purpose draw up a memorandum of appeal in a tabular form stating therein the provisions of the standing orders which are required to be altered or modified or deleted or added along with the reasons therefor, and file it electronically or in person with the appellate authority.

(2) The appellate authority shall fix a date for the hearing of the appeal and direct notice thereof to be given, —

(a) where the appeal is filed by the employer, to Trade Union or the negotiating union or negotiating council, as the case may be, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking;
(b) where the appeal is filed by a Trade Union or the negotiating union or negotiating council, to the employer and the negotiating union or the negotiating council or all other Trade Unions of the workers of the industrial establishment, as the case may be, or where there is no negotiating union or negotiating council in an industrial establishment or undertaking, any union or such representative body of the workers of the industrial establishment or undertaking; and
(c) where the appeal is filed by a representative body of the workers, to the employer and other Trade Unions of the workers of the industrial establishment, or where there is no trade union of the workers in an industrial establishment or undertaking, any other worker who joins as a party to the appeal.

(3) The appellant shall furnish each of the respondents with a copy of the memorandum of appeal referred to in sub-rule (1).

(4) The appellate authority may, at any stage of the proceeding call for any evidence, if it considers necessary for the disposal of the appeal.

(5) On the date fixed under sub-rule (2) for the hearing of the appeal, the appellate authority shall take such evidence as it considers relevant, if produced, and after hearing the parties, dispose of the appeal.

16. Serving of order and text of standing orders. - (1) The order of the appellate authority shall be served electronically or otherwise within three days of the disposal of appeal to the employer or Trade Union or the negotiating

union or negotiating council or any union or representative body of the workers, as the case may be, by whom the appeal has been filed.

(2) The text of the standing orders as finally certified or deemed to have been certified or adopted model standing orders under this Chapter, shall be maintained by the employer in Hindi, English and local language.

(3) The certified standing orders shall be displayed in legible manner by the employer on the special board to be maintained for the purpose at the entrance or near the entrance of the industrial establishment through which majority of workers enter and may also be posted on the designated portal/website, if any, of such industrial establishment.

17. Register of standing orders.— (1) The certifying officer shall maintain electronically, a register in Form-III of all finally certified standing orders or deemed to have been certified or adopted Model Standing Orders, of all the concerned industrial establishments, which shall contain details of –

(a) the unique number assigned to each standing order;

(b) the name of industrial establishment;

(c) the nature of industrial establishment;

(d) the date of certification or deemed certification or date of adoption of Model Standing Orders by each establishment or undertaking;

(e) the areas of operation of the industrial establishment; and

(f) such other details as may be relevant and helpful in retrieving the standing orders and create a data base of such of all standing orders.

(2) The certifying officer shall furnish a copy of the certified standing orders or deemed certified standing orders referred to in sub-rule (1) to any person applying therefor, on payment of two rupees per page of the certified standing orders or deemed certified standing orders, as the case may be.

(3) The payment of fee for getting certified standing orders may also be made electronically.

18. Application for modification of standing orders.– (1) The application for modification of existing standing orders shall be submitted electronically or in person or by speed post.

(2) The application specified in sub-rule (1) shall contain the particulars of such standing orders which are proposed to be modified along with a tabular statement containing details of each of the relevant provisions of standing order in force and proposed modifications therein, reasons thereof and the details of registered Trade Unions operating therein.

(3) The statement mentioned in sub-rule (2) shall be signed by a person authorised by the industrial establishment or undertaking or workers or a Trade Union or other representative body of the workers, as the case may be, who has submitted such application for modification.

CHAPTER V

NOTICE OF CHANGE

19. Notice for change.– (1) Any employer intending to effect any change in the conditions of service applicable to any worker in respect of any matter specified in the Third Schedule to the Code, shall give notice in Form- IV electronically or by speed post or in person, to such workers likely to be affected by such change and shall also upload such notice on the designated portal, if any, of the industrial establishment.

(2) The notice mentioned in sub-rule (1) shall be displayed conspicuously by the employer on the notice board or on the electronic notice board at the main entrance of the industrial establishment:

Provided that when there is a registered Trade Union or registered Trade Unions or a negotiating union or negotiating council relating to the concerned industrial establishment, a copy of such notice shall also be served in the

manner specified in sub-rule (1) on the secretary of such Trade Union or each of the secretaries of such Trade Unions, or secretary of the negotiating union or constituent of negotiating council, as the case may be.

CHAPTER VI

VOLUNTARY REFERENCE OF DISPUTES TO ARBITRATION

20. Form of arbitration agreement and manner of signing by parties — (1) The employer and workers may agree to refer any industrial dispute to arbitration by entering into an arbitration agreement in Form- V.

(2) The arbitration agreement referred to in sub-rule (1) shall be signed by the parties to the said agreement and it shall be accompanied by the consent, either in writing or electronically, of arbitrator or arbitrators.

(3) The arbitration agreement referred to in sub-rule (1) shall be signed, -

(i) in case of an employer, by the employer himself, or when the employer is an incorporated company or other body corporate, by the agent, manager or other officer of the company or corporation authorised for such purpose;

(ii) in the case of workers, by the officer of the registered Trade Union authorised in this behalf or by five representatives of the workers duly authorised in this behalf at a meeting of the concerned workers held for such purpose; and

(iii) in the case of an individual worker, by such worker himself or by an officer of the registered Trade Union, of which the worker is a member, or by another worker in the same establishment duly authorised by him in this behalf.

Explanation.–- For the purposes of this rule, the term "officer",–

(a) in case of an association of the employers, means any officer of such association of the employers authorised for such purpose; and

(b) in case of a registered Trade Union, means any of the following officers of such Trade Union authorised for such purpose, namely:–

(i) the President; or
(ii) the Vice-President; or
(iii) the Secretary (including the General Secretary); or
(iv) a Joint Secretary; or
(v) any other officer of such Trade Union authorised in this behalf by the President and Secretary of such Trade Union.

21. Issuing of notification.- Where an industrial dispute has been referred to arbitration and the Central Government is satisfied that the persons making the reference represent the majority of each party, it shall issue a notification in this behalf and upload it on the website of the Ministry of Labour and Employment for the information of the employers and workers who are not parties to the arbitration agreement but are concerned in the dispute so that they may present their case before the arbitrator or arbitrators appointed for such purpose.

22. Choosing of representatives of workers where there is no Trade Union.– Where there is no Trade Union to present the case before the arbitrator or arbitrators, the representative of workers shall be chosen by a resolution passed by the majority of concerned workers in Form- VI authorising to represent the case and the workers shall be bound by the acts of their representatives who have been so chosen to represent before the arbitrator or arbitrators, as the case may be.

CHAPTER VII

MECHANISM FOR RESOLUTION OF INDUSTRIAL DISPUTES

23. Conciliation proceedings— (1) Where the conciliation officer receives any—

(a) notice of a strike or lockout given under rule 25 or rule 26; or
(b) application in respect of an existing industrial dispute; or
(c) information regarding apprehension of an industrial dispute,

such officer shall—

(i) in case of clause (a), enter the details on the designated portal and hold conciliation proceedings and inform the concerned parties the date of sitting for such purpose;
(ii) in case of clause (b), enter the details on the designated portal and examine the application and if such dispute pertains to the jurisdiction of State Government, transfer the application to the concerned authority or otherwise proceed with the application and hold the conciliation in respect thereof; and
(iii) in case of clause (c), enter the details on the designated portal and issue fresh notice to the parties concerned declaring his intention to commence conciliation proceedings.

(2) The employer's representative and the worker's representative shall, on receipt of the notice referred to in sub-rule (1), submit their respective statements in respect of the said dispute in the first meeting of the conciliation proceedings.

(3) The conciliation officer shall, without delay, ascertain the facts and circumstances relating to the dispute and enquire into all matters affecting the merits and right settlement thereof and hold conciliation proceedings between the parties to the dispute and may do all such things as he thinks fit for the purpose of inducing the parties to come to a fair and amicable settlement of the dispute.

(4) If no settlement is arrived at in the conciliation proceedings referred to in sub-rule (3), the conciliation officer shall, within seven days from the date on which the conciliation proceedings are concluded, upload a report on designated portal of the Ministry of Labour and Employment and forward a copy thereof electronically or by speed post or in person to the parties to the dispute and to the Central Government.

(5) The report shall be made accessible to the parties concerned on the said designated portal by the Ministry of Labour and Employment.

(6) If settlement of the dispute or of any of the matters in dispute is arrived at in the course of the conciliation proceedings, the conciliation officer shall, apart from submitting a report to the Central Government or an officer duly authorised in this behalf by that Government along with a memorandum of the settlements signed by the parties to the dispute, also upload such report and memorandum of settlement on the designated portal of the Ministry of Labour and Employment.

(7) All evidences before the conciliation officer, except the documentary evidence, shall be filed in the form of an affidavit and the parties to the dispute shall also file the application or, as the case may be, file reply or rejoinder thereof in the form of an affidavit.

(8) The report referred to in sub-rule (4) shall, *inter alia*, contain the submissions of the employer, worker or Trade Union, as the case may be, involved in the dispute and it shall also contain the efforts made by the conciliation officer to bring the parties to an amicable settlement, reasons for refusal of the parties to resolve the dispute and the conclusion arrived at by the conciliation officer.

(9) Where any dispute is not settled during the conciliation proceeding, the concerned party may make an application in Form II before the Tribunal electronically or by speed post or by speed post with value added services-Registration or POD (Proof of Delivery), within ninety days from the date of the report under sub-rule (5).

24. Application for recovery of dues.— (1) Where any money is due from an employer to a worker or a group of workers under a settlement or an award or under the provisions of Chapter IX or Chapter X of the Code, the worker or the group of workers, as the case may be, may apply in Form -VII for the recovery of such money due:

Provided that in the case of a person authorised in writing by the worker, or in the case of the death of the worker, the assignee or heir of the deceased worker shall make the application in Form VIII**.**

(2) Where any worker or a group of workers is entitled to receive from the employer any money or any benefit which is capable of being computed in terms of money, the worker or the group of workers, as the case may be, may apply to the Tribunal having jurisdiction in Form IX for the determination of the amount due or, as the case may be, the amount at which such benefit should be computed and such Tribunal shall decide the application within a period not exceeding three months from the date on which the application is filed:

Provided that in the case of the death of a worker referred to in this sub-rule, the application shall be made in Form X by the assignee or heir of the deceased worker.

CHAPTER VIII

STRIKES AND LOCK-OUTS

25. Notice of strike, person or persons to whom notice be given and manner of giving such notice.– (1) The notice of strike referred to in sub-section (1) of section 62 of the Code shall be given in Form-XI, to the employer of an industrial establishment , which shall be duly signed by the Secretary of the concerned registered Trade Union or where there is no registered Trade Union, by five elected representatives of the workers giving the notice relating to the concerned industrial establishment, endorsing the copy thereof electronically or by speed post to the concerned conciliation officer, Chief Labour Commissioner (Central) and the Secretary, Ministry of Labour and Employment.

(2) The date of receipt of the notice referred to in sub-rule (1) shall be the date of receiving the notice for the purposes of clause (a) of sub-section (1) of section 62 of the Code.

(3) If the employer of an industrial establishment receives any notice of strike from any person employed, then the employer shall, within five days from the date of receiving of such notice, intimate the same electronically to the concerned conciliation officer and Chief Labour Commissioner (Central).

26. Notice of lock-out and authority.– (1) The notice of lock-out referred to in sub–section (2) of section 62 shall be given in Form-XII by the employer of an industrial establishment to the Secretary of every registered Trade Union relating to such industrial establishment by speed post or electronically, endorsing a copy thereof to the concerned conciliation officer, Chief Labour Commissioner (Central) and the Secretary, Ministry of Labour and Employment electronically.

(2) The notice referred to in sub-rule (1) shall be displayed conspicuously by the employer on the notice board or on electronic board at the main entrance to the industrial establishment and a copy of the said notice may also be posted on the designated portal, if any, of such industrial establishment and the date of receipt of such notice by the conciliation officer shall be the date of receiving the notice for the purposes of clause (a) of sub-rule (1) of rule 23.

(3) If the employer gives to any person employed by him a notice of lock-out, he shall, within five days from the date of such notice, inform electronically the same to the concerned conciliation officer and the Chief Labour Commissioner (Central).

CHAPTER IX

LAY-OFF, RETRENCHMENT AND CLOSURE

27. Service of notice before retrenchment.– If an employer desires to retrench any worker employed in his industrial establishment who has been in continuous service for not less than one year, such employer shall serve prior notice of retrenchment in Form-XIII to the Central Government and to the concerned Deputy Chief Labour Commissioner (Central) through e-mail or speed post, in the following manner, namely, —

(a) where prior notice is given to a worker under clause (a) of section 70 of the Code, notice of such retrenchment shall be served within three days from the date on which such notice is served on the worker;

(b) where no prior notice is given to the worker under clause (a) of section 70 of the Code, and he is paid one month’s wages in lieu thereof, notice of such retrenchment shall be sent within three days from the date on which such wages are paid; and

(c) where retrenchment is carried out under an agreement, which specifies a date for the termination of service, notice of such retrenchment shall be sent so as to reach the Central Government and a copy thereof to the Deputy Chief Labour Commissioner (Central), at least one month before such date:

Provided that if the date of termination of service agreed upon is within thirty days of the agreement, the notice of retrenchment shall be sent to Central Government along with a copy thereof to the Deputy Chief Labour Commissioner (Central) concerned within three days of the agreement.

28. **Re-employment to retrenched workers**.– (1) The employer shall prepare a list of all workers in the particular category from which retrenchment is contemplated, arranged according to the seniority of their service in that category and cause a copy thereof to be pasted on a notice board in a conspicuous place in the premises of the industrial establishment, at least seven days before the actual date of retrenchment.

(2) When any vacancy occurs in an industrial establishment and there are workers of such industrial establishment retrenched within one year prior to the proposal for filling such vacancies, the employer of such industrial establishment shall, if such workers are citizens of India and have given their willingness for employment, give them preference over other on the basis of their seniority.

(3) The employer shall arrange for the display on the notice board in a conspicuous place in the premises of the industrial establishment the details of vacancies, at least fifteen days before the date on which such vacancies are to be filled and shall also give information of those vacancies by speed post or through e-mail to all the retrenched workers eligible to be considered, on the latest address or e-mail given by each of them at the time of retrenchment or at any time thereafter:

Provided that when the number of such vacancies is less than the number of retrenched workers, it shall be sufficient, if the information is given by the employer individually to the senior most retrenched workers in the list referred to in sub-rule (1) and the number of such senior-most workers being double the number of such vacancies:

Provided further that where duration of the vacancy is of less than one month there shall be no obligation on the employer to inform of such vacancy:

Provided also, that if a retrenched worker without sufficient cause being shown in writing to the employer, does not offer himself for re-employment on the date or dates specified in the information sent to him under this sub-rule, the employer shall not inform such worker of the vacancies that may be filled on any subsequent occasion.

(4) As soon as the provisions of sub-rule (3) are complied, the employer shall also inform the negotiating union or the constituent of negotiating council or Trade Unions connected with the industrial establishment, of the number of vacancies to be filled and names of the retrenched workers to whom information has been sent under that sub-rule:

Provided that the provisions of this sub-rule shall not be complied with by the employer in any case where information is sent to every worker mentioned in the list prepared under sub-rule (1).

29. Service of notice for intended closure.- (1) If an employer intends to close down an industrial establishment, the employer shall give notice in Form-XIII at least sixty days before the date of intended closure to the Central Government and a copy thereof to the concerned Deputy Chief Labour Commissioner (Central) by e-mail or speed post.

(2) A copy of the notice referred to in sub-rule (1) shall also be sent to the registered Trade Unions or authorised representatives of workers, as the case may be, operating in the Industrial establishments.

CHAPTER X

SPECIAL PROVISIONS RELATING TO LAY-OFF, RETRENCHMENT AND CLOSURE IN CERTAIN ESTABLISHMENTS

30. Application for intended lay-off and manner of serving copy of such application to workers.– (1) An application shall be made by the employer in Form-XIV to the Central Government seeking permission for lay-off of a worker stating clearly therein the reasons for the intended lay-off and a copy of such application shall be served simultaneously to the worker concerned, electronically or in person or by speed post.

(2) The application referred to in sub-rule (1) shall also be displayed conspicuously by the employer on the notice board or on electronic board at the main entrance of the industrial establishment.

31. Application to continue lay-off.– The employer shall, in case of an industrial establishment being a mine, where the workers other than *badli* workers or casual workers have been laid-off for reasons of fire, flood or excess of inflammable gas or explosion, within a period of thirty days from the date of commencement of such lay-off, make an application in Form-XIV to the Central Government electronically and by speed post with a copy to the concerned Deputy Chief Labour Commissioner (Central) for permission to continue the lay-off–

(a) specifying the number of days;

(b) specifying the number of workers to be laid off;

(c) the total number of workers employed in the industrial establishment;

(d) the date of lay-off; and

(e) the reasons for continuation of such lay-off.

32. Review of order.– (1) The Central Government may, either on its own motion or on an application made by the employer or any worker, review its order granting or refusing to grant permission for the lay-off.

(2) The employer or any worker concerned, along with the order referred to in sub-rule (1), may make an application within thirty days from the date on which the order is made to the Central Government for reviewing the order and that Government shall, within two months from the date on which the application is made, dispose of the same after providing the concerned parties, an opportunity of being heard.

(3) Where the Central Government decides to review the order referred to in sub-rule (1) on its own motion, it may take necessary steps within one month from the date on which the order is made and after providing the concerned parties an opportunity of being heard, dispose of such review within a period of two months from the date on which such decision is taken.

33. Application for intended retrenchment and manner of serving copy of such application to workers.– (1) An application shall be made in Form- XIV by the employer to the Central Government electronically, stating clearly the reasons for the intended retrenchment therein and a copy of such application shall be sent to the concerned workers electronically, or in person, or by speed post.

(2) The application referred to in sub-rule (1) shall also be displayed conspicuously by the employer on a notice board or on electronic board at the main entrance to the industrial establishment.

34. Review of order.– (1) The Central Government may, either on its own motion or on an application made by the employer or any worker, review its order granting or refusing to grant permission for the retrenchment.

(2) The employer or any worker concerned, along with the order referred to in sub-rule (1), may make an application within thirty days from the date on which such order is made, to the Central Government for reviewing that order and that Government shall within a period of two months from the date on which such application is made, dispose of the application after providing the concerned parties an opportunity of being heard.

(3) Where the Central Government decides to review the order referred to in sub-rule (1), on its own motion, it may take necessary steps within one month from the date on which such order is made and after providing the concerned parties an opportunity of being heard, dispose of such review within a period of two months from the date on which such decision is taken.

35. Application for intended closing of industrial establishment and manner of serving copy of application to representatives of workers.– An employer who intends to close down an industrial establishment, to which the provisions of Chapter X of the Code apply, shall apply in Form XIV to the Central Government electronically for prior permission, at least ninety days before the date on which the intended closure is to become effective, stating clearly therein the reasons for such intended closure of the industrial establishment and simultaneously a copy of such application shall also be sent to the representatives of the workers electronically and in person, or by speed post.

36. Review of order.– (1) The Central Government may, either on its own motion or on an application made by the employer or any worker, review its order granting or refusing to grant permission for the closing down of an industrial establishment.

(2) The employer or any worker concerned may make an application along with the order referred to in sub-rule (1), within thirty days from the date on which such order is made, to the Central Government for reviewing that order and that Government shall, within two months from the date on which such application is made, dispose of that application after providing the concerned parties an opportunity of being heard.

(3) Where the Central Government decides to review the order referred to in sub-rule (1) on its own motion, it may take necessary steps within one month from the date on which the order is made, and after providing the concerned parties an opportunity of being heard, dispose of such review within a period of two months from the date on which such decision is taken.

CHAPTER XI

WORKER RE-SKILLING FUND

37. Worker re-skilling fund.– (1) Every employer who has retrenched a worker in industrial establishment, shall, within ten days from the date of such retrenchment, electronically transfer an amount equivalent to fifteen days of last drawn wages of such retrenched worker or workers in the fund (name of the account) shall be displayed on the website of the Ministry of Labour and Employment and Chief Labour Commissioner (Central) to be maintained by the Chief Labour Commissioner (Central) or the office of the Deputy Chief Labour Commissioner(Central) or the office of the Regional Labour Commissioner (Central) or the office of the Assistant Labour Commissioner(Central), as the case may be.

(2) The fund so received under sub-rule (1) shall be transferred by the office of the Chief Labour Commissioner (Central) or the office of the Deputy Chief Labour Commissioner (Central) or the office of the Regional Labour Commissioner (Central) or the office of the Assistant Labour Commissioner (Central), electronically to each of the retrenched worker account within forty-five days of retrenchment to enable them to utilise that amount for his re-skilling.

(3) The employer shall also submit the list containing the name of the retrenched worker, the amount equivalent to fifteen days of wages last drawn by such retrenched worker along with his bank account details, to the office of the Chief Labour Commissioner (Central) or the office of the Deputy Chief Labour Commissioner (Central) or the office of the Regional Labour Commissioner (Central) or the office of the Assistant Labour Commissioner(Central), as the case may be.

CHAPTER XII

OFFENCES AND PENALTIES

38. Manner of composition of offence– (1) The officer notified by the Central Government for the purposes of compounding of offences under sub-section (1) of section 89 (hereinafter referred to as the "compounding officer") shall, send a notice to the accused in Form XV through the designated portal of the Ministry of Labour and Employment.

(2) The accused to whom the notice is served under sub-rule (1), may send the duly filled up application in Part III of Form XV to the compounding officer electronically and deposit the compounding amount electronically, within fifteen days of the receipt of the notice.

(3) Where the prosecution has already been instituted against the accused in the court of competent jurisdiction, the accused may make an application to such court to allow composition of the offence against him and that court may, after considering the application, allow composition of the offence by the compounding officer in accordance with the provisions of section 89 and procedure specified in this rule.

(4) In case the accused is willing to compound by submitting the application under sub-rule (2), the compounding officer shall compound the offence and—

(a) in case the offence is compounded before the institution of prosecution, no complaint for prosecution shall be instituted against the accused;

(b) in case the offence is compounded pending proceeding under section 85 of the Code, the compounding officer shall inform the composition to the officer referred to in that section, who shall, after such information, close the proceeding in respect of such offence against the accused; and

(c) in case the offence is compounded after the institution of prosecution with the permission of the court, the compounding officer shall treat the case as closed and inform the compounding of the offence to the competent court by which such composition was allowed and after receiving such information, the court shall discharge the accused.

CHAPTER XIII

MISCELLANEOUS

39. Protected workers.- (1) Every registered Trade Union connected with an industrial establishment, to which the provisions of the Code apply, shall communicate to the employer before the 30th April of every year, the names and addresses of such of the officers of such Trade Union who are employed in that establishment and who, in the opinion of such Trade Union shall be recognised as protected workers.

(2) Any change in the incumbency of any officer of the Trade Union referred to in sub-rule (1), shall be communicated to the employer by such Trade Union within fifteen days of such change.

(3) The employer shall, within fifteen days of the receipt of the names and addresses from the Trade Union under sub-rule (1) and subject to the provisions of sub-section (3) and (4) of section 90 of the Code recognise such workers as protected workers for the purposes of the said section and communicate to such Trade Union in writing, the list of workers recognised as protected workers for a period of twelve months from the date of such communication.

(4) Where the total number of names received by the employer under sub-rule (1), exceeds the maximum number of protected workers admissible for the industrial establishment under sub-section (4) of section 90, the employer shall recognise such maximum number of workers as protected workers:

Provided that where there is more than one registered Trade Union in the industrial establishment, the maximum number shall be so distributed by the employer among the Trade Unions that the numbers of recognised protected workers in individual Trade Unions bear practicably the same proportion to one another as the membership figures of the Trade Unions; and the employer shall in that case inform in writing to the President or the Secretary of each of the concerned Trade Union, the number of protected workers allotted to it:

Provided further that where the number of protected workers allotted to such a Trade Union under this sub-rule falls short of the number of officers of such Trade Union seeking protection, then that Trade Union shall be entitled to select the officers to be recognised as protected workers and such selection shall be made by that Trade Union and communicated to the employer within five days of the receipt of written intimation of the employer in this regard.

(5) Where a dispute arises between an employer and any registered Trade Union in any matter connected with the recognition of protected workers under this rule, such dispute shall be referred to the Deputy Chief Labour Commissioner (Central) or Regional Labour Commissioner (Central) or Assistant Labour Commissioner (Central) concerned, whose decision thereon shall be final.

40. Complaint by aggrieved employee.– (1) Every complaint of an aggrieved employee under section 91 of the Code shall be made in Form-XVI electronically, or by speed post and shall be accompanied by as many copies thereof for each of the opposite parties mentioned in such complaint.

(2) Every complaint under sub-rule (1) shall be verified by the aggrieved employee making the complaint or by the authorised representative of such employee to the satisfaction of the conciliation officer, arbitrator, Tribunal or the National Industrial Tribunal, as the case may be, acquainted with the facts of the case.

41. Authorisation of worker for representing in proceeding.– Where the worker is not a member of any Trade Union, any member of the executive or other office-bearer of any Trade Union connected with or by any other worker employed in the industry in which the worker is employed, may be authorised in Form-VI by such worker to represent him in any proceeding relating to a dispute in which that worker is a party**.**

42. Authorisation of employer for representing in proceeding.– Where an employer is not a member of any association of employers, an officer of any association of employers connected with, or by any other employer engaged in, the industry in which the employer is engaged, may be authorised in Form-VI to represent him in any proceeding relating to a dispute in which that employer is a party.

43. Parties bound by acts of representative.- A party appearing through a representative shall be bound by the acts of that representative.

44. Enquiry.– (1) On receipt of a complaint of an offence committed under sub-sections (3), (5), (7), (8), (9), (10), (11) and (20) of section 86 and sub-section (7) of section 89, the complaint shall be enquired into by an officer not below the rank of Under Secretary to the Government of India, appointed by the Central Government for such purpose under sub-section (1) of section 85 (hereinafter referred to as the "enquiry officer").

(2) On receipt of the complaint, the enquiry officer shall call upon the person or persons through notice to be sent electronically, or by speed post and upload a copy of the same on the designated portal of the Ministry of Labour and Employment, to appear before him on a specified date together with all relevant documents and witnesses, if any, and shall inform the complainant of the date so specified.

(3) Where a party so desires, he may request in writing to the enquiry officer to issue notice in the enquiry only by post and also in cases where the enquiry officer feels that no electronic means of communication are available to the parties concerned, he may send such notice by speed post.

(4) In case the person to whom notice has been issued under sub-rule (2), the person or his representative fails to appear on the specified date, the enquiry officer may proceed to hear and determine the complaint *ex-parte*.

(5) In case the complainant fails to appear on the specified date without any information to the enquiry officer on two consecutive dates, the enquiry officer may dismiss the complaint:

Provided that not more than three adjournments may be given on the joint application by the complainant and the opposite party:

Provided further that the enquiry officer shall at his discretion permit hearing the parties or any of the party, as the case may be, through video conferencing.

(6) The authorisation to appear on behalf of any person under sub-section (2) of section 85 of the Code shall be given by a certificate or electronic certificate, as the case may be, which shall be presented to the enquiry officer during the hearing of the complaint and shall form part of the record.

(7) Any person who intends to appear in the proceeding on behalf of the complainant shall present before the enquiry officer and submit a brief statement in writing explaining the reason for his appearance.

(8) The enquiry officer shall record an order on the statement referred to in sub-rule (7) permitting the person referred to in that sub-rule to appear in the proceeding on behalf of the complainant, and in the case of refusing such permission, the enquiry officer shall include reasons for the same and incorporate it in the record.

(9) The complaint or other documents relevant to the complaint may be presented in person to the enquiry officer at any time during hours fixed by the enquiry officer or may be sent to him electronically or by speed post and the opposite party shall have the right to reply to the complaint and such other documents.

(10) The enquiry officer shall endorse or cause to be endorsed on each document, the date of its presentation or receipt, as the case may be, and if the documents are submitted electronically, no such endorsement shall be necessary.

(11) The enquiry officer may refuse to entertain a complaint, if considers that the complaint is incomplete and may request the complainant to rectify the defects within the time specified for such purpose:

Provided that if the enquiry officer observes that it is not possible to rectify the defects in the complaint, he may at once return such complaint indicating the defects.

(12) Where the complaint is presented after rectification of the defects, the date of such re-presentation shall be deemed to be the date of presentation for the purpose of sub-section (1) of section 85 of the code.

(13) The enquiry officer may, after giving the complainant an opportunity of being heard, refuse to entertain a complaint, if satisfied for reasons to be recorded in writing, that—

(a) the complainant is not entitled to present the complaint; or

(b) the complainant has filed the complaint beyond six months from the date on which the offence complained is committed;

(c) the complainant fails to comply with the directions given by the enquiry officer under sub-section (2) of section 85 of the Code.

(14) The enquiry officer shall, in all cases mention the particulars at the time of passing of order containing the details, such as, the date of complaint, name and address of the complainant, name and address of the opposite party or opposite parties, section-wise details of the offence committed, plea of the opposite party, findings and brief statement of the evidence taken including cross examination, reasons and penalty imposed with his signature, date and place.

(15) The enquiry officer shall, in respect of the procedure be guided by the provisions of the Code of Civil Procedure, 1908 (5 of 1908), with such alterations as the enquiry officer may deem fit, not affecting their substance, for adapting them to the matter before him except where they are in conflict with the express provisions of the Code or these rules.

(16) The enquiry officer shall, after the case has been heard, pass an order or give directions on the same day or on a future date to be fixed for this purpose.

(17) Any person, who is either a complainant or an opposite party or any person permitted under sub-rule (8) shall be entitled to inspect any complaint or any other document filed with the enquiry officer.

45. Expenses of witness.– Every person who attends or otherwise appears on receipt of a summon as a witness before any proceeding, shall be entitled to an allowance for the expenses on the same rates as applicable to witnesses in a civil court in the State where such enquiry, adjudication or arbitration, as the case may be, is being conducted.

46. Publication for communication.– For the purposes of communication to effect service of messages and documents under these rules, the Central Government, the National Industrial Tribunal, the Industrial Tribunal, every employer for which the Central Government is the appropriate Government, every Trade Union, negotiating union or the constituents of negotiating council and every authority referred to in these rules, shall specify their e-mail id or website or portal or any or all of them, as the case may be, in their respective letter-heads.

47. Maintenance of records, registers, forms, notice and display board.– (1) All records, registers, forms, notices, display boards and other documents which are required to be maintained under these rules shall be maintained in electronic manner in the required format or containing the information as is required.

(2) The records and other documents referred to in sub-rule (1) shall comply with the requirement of retention of records and shall be produced or shown as and when required by the concerned authority specified in this behalf under the Code.

48. Appointment of Commissioner.- For the purposes of computing the money value of a benefit referred to in sub-section (2) of section 59 of the Code, the Tribunal may appoint —

(a) person with experience in the particular industry, trade, business or field encompassing the question referred to in sub-section (2) of the said section; or
(b) person who had been a judge of a civil court; or
(c) stipendiary magistrate; or

(d) Registrar or Secretary of a Tribunal constituted under any Central Act or a Tribunal or a National Industrial Tribunal constituted under the Code.

49. Fee for Commissioner, etc.- (1) The Tribunal shall, after consultation with the parties, estimate the probable duration of enquiry by the Commissioner referred to in rule 48 and fix the fee and other incidental expenses incurred.

(2) The Tribunal shall direct the payment of fee and other incidental expenses to the Commissioner, within specified time, by such party or parties and in such proportion, as it may deem fit.

(3) The Commissioner shall not submit his report until the receipt of deposit of fee referred to in sub-rule (2) is filed before the Tribunal:

Provided that the Tribunal may, for reasons to be recorded in writing, direct that any further sum or sums be deposited within such time or extend the time for depositing and by such parties as it may deem fit.

(4) The Tribunal may, at any time, for reasons to be recorded in writing, vary the amount of the fee.

(5) The Tribunal may direct that the fee shall be disbursed to the Commissioner in such instalments and on such date as it may deem fit.

(6) The undisbursed balance, if any, of the sum deposited under this rule shall be refunded to the respective party or parties who deposited the sum in the same proportion as that in which it was deposited.

50. Time for submission of report.- (1) Every order for the appointment of Commissioner shall indicate a date, allowing sufficient time for the Commissioner to submit the report.

(2) If, for any reason the Commissioner anticipates that the date fixed for the submission of his report is likely to be exceeded, the commissioner shall apply, before the expiry of the said date, for extension of time setting forth grounds thereof and the Tribunal shall, after consideration, pass suitable orders on such application:

Provided that the Tribunal may, if it deems fit for sufficient cause, grant extension of time where no application for such extension has been received from the Commissioner.

SCHEDULE

FORM-I

[*See* rule 4]

(MEMORANDUM OF SETTLEMENT ARRIVED AT IN THE COURSE OF CONCILIATION PROCEEDINGS OR OTHERWISE)

Names of parties:

……..……. Representing employer(s);

……..……. Representing worker(s);

Short recital of the case

……..

Terms of settlement

……

Signature of the parties

Witnesses:

(1)

(2)

*Signature of conciliation officer

In case the settlement is arrived at between the employer and his workers otherwise than in the course of conciliation proceeding the copy of the memorandum shall be marked to the concerned Deputy Chief Labour Commissioner (Central).

FORM - II
[See sub-rule (8) of rule 9/ sub-rule (9) of rule 23]

(APPLICATION TO TRIBUNAL)

Before the Central Government Industrial Tribunal ----------(place of the Industrial Tribunal having jurisdiction where dispute arises)

(A) Name and address of applicant(s)

Versus

(B) Name and address of opposite party(ies)

Brief facts of the dispute (statement regarding specific issues of dispute may be mentioned) which are connected with and relevant to the dispute under sub-section (1) of section 22/sub-section (6) of section 53* of the Industrial Relations Code, 2020 (35 of 2020).

Prayer:

The applicant(s) pray(s) that instant application may be admitted for adjudication and request(s) to pass appropriate award in the matter.

Name and signature of the worker(s) or
Officer of Trade union raising the dispute/Party in dispute*

(* strike off which is not applicable)

FORM III

(*See* rule 17)

(REGISTER FOR CERTIFIED STANDING ORDERS)

PART- I

Industrial Establishment

Unique and continuous number	Name of the industrial establishment	Nature of the industrial establishment	The areas of operation of the industrial establishment	Whether standing order is (a) model standing order, or (b) deemed standing order or (c) certified standing order	Date of adoption or date of deemed authentication or date of certification / authentication of standing order
(1)	(2)	(3)	(4)	(5)	(6)

Date of filing appeal	Date and nature of decision	Amendment made on appeal, if any	Date of the dispatch of the copy of standing orders as settled on appeal	Any other relevant detail
(7)	(8)	(9)	(10)	(11)

PART-II

Enclose the certified copy of the standing orders electronically.

FORM- IV

(*See* rule 19)

(NOTICE OF CHANGE OF SERVICE CONDITIONS)

Name of employer.....
Address.....
Dated the ..... day of ..... 20.....

In accordance with sub-section (1) of section 40 of the Industrial Relations Code, 2020 (35 of 2020), I/We hereby give notice to all concerned that it is my/our intention to effect the change/changes specified in the annexure, with effect from ..... in the conditions of service applicable to workers in respect of the matters specified in the Third Schedule to the said Code.

Signature.....
Designation .....

ANNEXURE

(Specify the change/changes intended to be effected)

Copy forwarded to:

1. The Secretary of registered Trade Union, if any/Secretary, negotiating union/constituent of negotiating council.
2. Concerned Deputy Chief Labour commissioner(Central).

FORM-V

(*See* rule 20)

(AGREEMENT FOR VOLUNTARY ARBITRATION **)**

Between

……Name of the parties representing employer (s)

And

……. Name of the parties representing worker

It is hereby agreed between the parties to refer the following dispute to the arbitration of ..... [here specify the name(s) and address(es) of the arbitrator (s).

(i) Specific matters in dispute.

(ii) Details of the parties to the dispute including the name and address of the establishment or undertaking involved.

(iii) Name of the worker in case he himself is involved in the dispute or the name of the Union, if any, representing the worker or workers in question.

(iv) Total number of workers employed in the undertaking affected.

(v) Estimated number of workers affected or likely to be affected by the dispute.

*We further agree that the majority decision of the arbitrators shall be binding on us in case the arbitrator(s) are equally divided in their opinion they shall appoint another person as umpire whose award shall be binding on us.

The arbitrator (s) shall make his (their) award within a period of ..... (specify the period agreed upon by the parties) from the date of publication of this agreement in the Official Gazette by the Central Government or within such further time as is extended by mutual agreement between us in writing. In case, the award is not made within the period afore mentioned, the reference to the arbitration shall stand automatically cancelled and shall be free to negotiate for fresh arbitrator.

Signature of the parties representing employer/ any officer of the Trade Union / Representing worker / workers.

Witnesses:

1. .....

2. .....

Copy to: (i) The conciliation officer [Enter office address of the conciliation officer for the area concerned].

(ii) The Secretary to the Government of India, Ministry of Labour and Employment.

FORM- VI

(*See* rules 22, 41 and 42)

(AUTHORISATION BY WORKER, GROUP OF WORKERS, EMPLOYER OR GROUP OF EMPLOYERS TO BE REPRESENTED IN PROCEEDING BEFORE THE AUTHORITY)

Before the authority
(Mention the authority concerned)

In the matter of:. (mention the name of the proceeding)

.....workers

Versus …….....employer

I/we hereby authorise Shri / Shrimati/Kumari …….to represent me/us in the above matter.

Dated this.....day of.....20.....

Signature of person(s) nominating the representative(s)
Address

Accepted.

Signature of representative(s)
Address

FORM- VII

(*See* rule 24)

(APPLICATION UNDER SECTION 59(1) OF THE INDUSTRIAL RELATIONS CODE, 2020) FOR RECOVERY OF MONEY

To,

(1) The Secretary to the Government of India, Ministry of Labour and Employment, New Delhi.

(2) The Deputy Chief Labour Commissioner (Central)..... (here insert the name of the region).

Sir,

I/We have to state that I am/we are entitled to receive from M/s ..... a sum of Rs. .....(in words) on account of ..... under the provisions of Chapter IX and X of the Industrial Relations Code, 2020 (35 of 2020) /in terms of the award dated the..... given by..... /in terms of the settlement dated the ..... arrived at between the said M/s ..... and their worker through..... the duly elected representatives.

I/We further state that I/we served the management with a demand notice by speed post on ..... for the said amount which the management has neither paid nor offered to pay to me/us even though a fortnight has since elapsed. The details of the amount have been mentioned in the statement hereto annexed.

I/We request that the said sum may kindly be recovered from the management under sub-section (1) of section 59 of the Industrial Relations Code, 2020 (35 of 2020) and paid to me/us as early as possible.

Signature of the applicant(s)

Address(es)

Station:

Date:.

ANNEXURE

(Specify the details of the amount(s) claimed.)

FORM- VIII

(*See* rule 24)

[APPLICATION BY A PERSON AUTHORISED BY A WORKER OR BY THE ASSIGNEE OR HEIR OF A DECEASED WORKER UNDER SECTION 59(1) OF THE INDUSTRIAL RELATIONS CODE, 2020]

To

(1) The Secretary to the Government of India, Ministry of Labour and Employment, New Delhi.

(2) The Deputy Chief Labour Commissioner (Central).....(here insert the name of the region).

Sir,

I Shri/Shrimati/Kumari..... state that Shri/Shrimati/ Kumari..... is/was entitled to receive from M/s..... a sum of Rs. .....(in words) on account of..... under the provisions of Chapter IX and X of the Industrial Relations Code, 2020 (35 of 2020) /in terms of the award dated the..... given by ...../in terms of the settlement, dated the.....arrived at between the said M/s..... and their worker through..... the duly elected representatives.

I further state that I served the management with a demand notice by speed post on.....for the said amount which the management has neither paid nor offered to pay to me even though a fortnight has since elapsed. The details of the amount have been mentioned in the statement hereto annexed.

I request that the said sum may kindly be recovered from the management under sub-section (1) of section 59 of the Industrial Relations Code, 2020 (35 of 2020), and paid to me as early as possible.

I have been duly authorised in writing by.....(here insert the name of the worker) to make this application and to receive the payment of the aforesaid amount due to him.

I am the assignee/heir of the deceased worker and entitled to receive the payment of the aforesaid amount due to him.

Station..... Signature of the authorised person/assignee/heirs

Date…….....

Address.....

ANNEXURE

(Specify the details of the amount claimed.)

FORM - IX

(*See* rule 24)

[(APPLICATION TO TRIBUNAL UNDER SECTION 59(2) OF THE INDUSTRIAL RELATIONS CODE, 2020 BY WORKER)]

Before the Central Government Industrial Tribunal at. …….

..... between..... and.
.....

(1) Name of the applicant(s) …….

(2) Name of the employer ……..

The petitioner(s) ..... a worker of .....M/s. .....of .....The petitioner(s) undersigned, worker/workers of ..... is/are entitled to receive from the said M/s. ..... the money /benefits mentioned in the statement hereto annexed.

It is prayed that the Tribunal may be pleased to determine the amount /amounts due to the petitioner (s).

Signature or thumb impression (s) of the applicant(s)

Address (es) ……..

Place.....

Date.....

ANNEXURE

(Specify the details of the money due or the benefits accrued together with the case for their admissibility.)

FORM- X

[*See* rule 24]

(APPLICATION UNDER SECTION 59(2) OF THE INDUSTRIAL RELATIONS CODE, 2020 BY ASSIGNEE/ HEIR OF DECEASED WORKER)

Before the Central Government Industrial Tribunal at ..... Between

(i) Name of the applicant/applicants ……

(ii) Name of the employer ……..

I am/We are the assignee(s) of the deceased worker and am/are entitled to make an application on his behalf.

Shri/Smt..... former worker of M/s ..... of.....is entitled to receive from the said M/s..... the money/benefits mentioned in the statement hereto annexed;

It is prayed that the Tribunal be pleased to determine the amount/amounts due to the deceased worker.

Name and Address of worker.....

Signature of the assignee/heirs

Address (es) ……..

Place.....

Date.....

ANNEXURE

(Specify the details of the money due or the benefits accrued together with the case for their admissibility).

FORM-XI

(*See* rule 25)

[NOTICE OF STRIKE BY UNION (NAME OF UNION)/ GROUP OF WORKERS]

Name of Union ……/
Name of five elected representatives of workers……..

Dated the.....day of.....20.....

To
(The name of the employer).

Dear Sir/Sirs,

In accordance with the provisions contained in sub-section (1) of section 62 of the Industrial Relations Code, 2020 (35 of 2020) I/We hereby give you notice that I propose to call a strike / we propose to go on strike on ……..20….., for the reasons explained in the Annexure.

Yours faithfully,

(Secretary of the Union)

Five representatives of the workers duly elected at a meeting held on ..... (date), vide resolution attached.]

ANNEXURE
Statement of the Case.

Copy to:

(1) Conciliation officer ..... [Enter the office address of the Assistant Labour Commissioner (Central) / Regional Labour Commissioner (Central)/ Deputy Chief Labour Commissioner (Central) of the concerned area.]
(2) Chief Labour Commissioner (Central) New Delhi
(3) Secretary, Ministry of Labour and Employment, New Delhi

FORM -XII

(*See* rule 26)

(NOTICE OF LOCK-OUT GIVEN BY EMPLOYER OF INDUSTRIAL ESTABLISHMENT)

Name of employer .....
Address.....
Dated the.....day of.....20.....

In accordance with the provisions of sub-section (2) of section 62 of the Industrial Relations Code, 2020 (35 of 2020) , I/we hereby give notice to all concerned that it is my/our intention to effect lock out in..,.....department(s), section(s) of my/our establishment with effect from.....for the reasons explained in the Annexure.

Signature.....
Designation.....

ANNEXURE

1.	**Statement of reasons**

Copy forwarded to:

(1) The Secretary of the Registered Union, if any

(2) Conciliation officer ..... [Enter the office address of the Assistant Labour Commissioner (Central) / Regional Labour Commissioner (Central)/ Deputy Chief Labour Commissioner (Central) of the concerned area.]
(3) Chief Labour Commissioner (Central) New Delhi
(4) Secretary, Ministry of Labour and Employment, New Delhi

FORM -XIII

(*See* rules 27 and 29)

(NOTICE OF RETRENCHMENT/CLOSURE TO CENTRAL GOVERNMENT UNDER CHAPTER IX OF THE INDUSTRIAL RELATIONS CODE, 2020)

(To be submitted online. In case of exigencies to be submitted on paper in the prescribed format)

Name of industrial establishment /undertaking/ employer.....
Labour Identification Number .....

Dated.....

(Note: The intimation for closure/retrenchment to the appropriate government shall be served sixty days and thirty days before commencement of closure/retrenchment respectively)

To,

The Secretary to the Government of India,
Ministry of Labour and Employment
New Delhi

1. *(Retrenchment) (a) Under section 70(C) of the Industrial Relations Code, 2020 (35 of 2020), I/ we* hereby intimate you that I*/we* have decided to retrench..... workers** out of a total of ……. Workers** with effect from..... (DD/MM/YYYY)

or

(Closure) (b) Under section 74(1) of the Industrial Relations Code, 2020 (35 of 2020), I / we hereby intimate you that I*/we* have decided to close down,.....(name of the industrial establishment or undertaking) with effect from..... (DD/MM/YYYY). The number of workers whose services would be terminated on account of the closure of the undertaking is..... (number of workers)

2. The reason for retrenchment / closure is …… …… ……..……

3. * The worker(s)* concerned were given on the..... (DD/MM/YYYY) one month's notice in writing as required under section 70(a)*/ section 75(1)* of the Industrial Relations Code, 2020 (35 of 2020).

or

* The worker(s) concerned have been given on the……. (DD/MM/YYYY) one month's pay in lieu of the notice as required under section 70(a)*/ section 75(1)* of the Industrial Relations Code, 2020 (35 of 2020) .

4. * I*/We* hereby declare that the worker(s) concerned have been*/will be* paid all their dues along with the compensation due to them under section 70* / section 75* of the Industrial Relations Code, 2020 (35 of 2020) before or on the expiry of the notice period.

or

I/We hereby state that currently Insolvency proceedings are on in respect of the said Industrial Establishment/Undertaking/Employer, and that I*/we* will pay all the dues along with the compensation due to them under concerned laws.

5. (Retrenchment) I/we* hereby declare that the worker(s) concerned have been* / will be* retrenched in compliance to the section 71 and section 72 of the Industrial Relations Code, 2020 (35 of 2020).

6. I*/ we* hereby declare that no court case is pending before any Court in the matter, and if yes, the details thereof have been Annexed.

7. I*/ we* hereby declare that the above information given by me*/us* in this notice and the Annexures enclosed herewith true, I*/ we* am*/ are* solely responsible for its accuracy and no facts/ materials has been suppressed in the matter.

Yours faithfully,

(Name of employer/ ***authorised representative
with seal)

(* Strike off which is not applicable.)
(** Indicate number in figures and words both)
(***Copy of authorisation letter issued by the employer shall be enclosed)

Copy to :

(1)Deputy Chief Labour Commissioner (Central) of the concerned area.
(2) To the Registered Unions/ Authorised Representatives of Workers operating in the establishments or undertakings.

FORM- XIV

(*See* rules 30, 31, 33 and 35)

(APPLICATION FOR PERMISSION TO LAY-OFF/CONTINUATION OF LAY-OFF/ RETRENCHMENT/ CLOSURE TO THE CENTRAL GOVERNMENT UNDER CHAPTER X OF THE INDUSTRIAL RELATIONS CODE, 2020)

(To be submitted online. In case of exigencies on paper in the specified format below)

Name of industrial establishment or undertaking or employer.....
Labour Identification Number.....

Dated.....

(Note: The application to the Central Government shall be served as indicated below:
Lay-off : at least 15 days before the intended Lay-off
Continuation of Lay-off – at least 15 days before the expiry of earlier lay-off
Retrenchment – at least 60 days before the intended date of retrenchment
Closure – at least 90 days before the intended date of closure)

To,

The Secretary to the Government of India,
Ministry of Labour and Employment
New Delhi

1. *(Lay-off) (a). Under section 78(2) of the Industrial Relations Code, 2020 (35 of 2020), I*/we* hereby apply for "permission to lay-off …….workers** out of total of …….. workers** employed in my*/our* establishment (details to be given in Annexure-I) with effect from ……. (DD/MM/YYYY) for the reasons explained in Annexure-I..

or

(Continuation of lay-off) (b) Under section 78(3) of the Industrial Relations Code, 2020 (35 of 2020), I/we* hereby apply for permission to continue the Lay-off .....workers** out of total of …….. laid off workers** in my*/our* establishment (details to be given in Annexure-I) with effect from …….. (DD/MM/YYYY) for the reasons explained in Annexure-I.

or

(Retrenchment) (c) Under section 79(2) of the Industrial Relations Code, 2020 (35 of 2020), I/we* hereby apply for permission for intended retrenchment of..... workers out of total of …….. workers** employed in my*/our* establishment (details to be given in Annexure-I) with effect from …….. (DD/MM/YYYY) for the reasons explained in Annexure-I.

or

(Closure) (d) Under section 80(1) of the Industrial Relations Code, 2020 (35 of 2020), I / we hereby inform you that I*/we* intended to close down the undertaking..... (name of the industrial establishment or undertaking or employer) (details to be given in Annexure-I) with effect from..... (DD/MM/YYYY) for the reasons explained in Annexure-I.. The number of workers whose services would be terminated on account of the closure of the undertaking is..... (number of workers).

* (Lay-off/Continuation of Lay-off) The worker(s) concerned were given on ..... (DD/MM/YYYY) notice in writing as required under section 78(2)*/ section 78(3)* of the Industrial Relations Code, 2020 (35 of 2020).

or

(Retrenchment/ Closure) The worker(s) concerned were given on…….... (DD/MM/YYYY) three month's notice in writing as required under section 79/ section 80* of the Industrial Relations Code, 2020 (35 of 2020).

or

(Retrenchment/ Closure) The worker(s) have been given on…….... (DD/MM/YYYY) three month's pay in lieu of notice as required under section 79/ section 80* of the Industrial Relations Code, 2020 (35 of 2020).

2. The details of affected worker(s) is at Annexure II.

3. (Retrenchment) I*/we* hereby declare that the workers concerned will be retrenched in compliance to the section 71 and section 72 of the Industrial Relations Code, 2020 (35 of 2020).

4. *I/We* hereby declare that the worker(s) concerned have been*/will be* paid all the dues and compensation due to them under section 67, read with section 78(10)*/ section 79* / section 80* of the Industrial Relations Code, 2020 (35 of 2020) before or on the expiry of the notice period.

or

I/We hereby state that currently Insolvency proceedings are on in respect of the said Industrial Establishment/Undertaking/Employer, and that I/we* will pay all the dues along with the compensation due to them under concerned laws.

5. I/ we* hereby declare that no court case is pending before any Court in the matter, and if yes, the details thereof have been annexed herewith.

6. I/ we hereby declare that the above information given by me/ us* in this notice and enclosures is/ are* true, I/ we am/ are solely responsible for its accuracy and no facts/ materials has been suppressed in the matter.

The permission sought for may please be granted.

Yours faithfully,

(Name of employer/ ***authorised representative
with seal)

(* Strike off which is not applicable.)
(** Indicate number in figures and word both)
(***Copy of authorisation letter issued by the employer shall be enclosed)

ANNEXURE I

(Please give replies against each item)

1.	Name of the undertaking with complete postal address, email, mobile and land line.	
2.	Status of undertaking— (i) Whether Central public sector/State public sector/ like other, (ii) Whether a private limited company/ partnership firm/ partnership firm (ii) Whether the undertaking is licensed/registered and if so, name of licensing/ registration authority and licence/registration certificate numbers.	
3.	(a) Corporate Identification Number	
	(b) Goods and Service Tax Identification Number (GSTIN)	

4.	(i) Annual production, item wise for preceding three years- (ii) Production figures, month-wise, for the preceding twelve months,	
5.	Audit report of the legal entity that own the establishment/ undertaking including Balance sheets, profit and loss accounts for the last three years.	To be annexed
6.	Names of the inter-connected companies or companies under the same management.	
7.	Reasons for the intended lay-off/continuation of lay-off/ retrenchment/closure	
8.	Details of lay-off/ retrenchment resorted to in the last three years including the periods of such lay-offs/ retrenchment the number of workers involved in each such lay-off/ Retrenchment / continuation of lay off	
9.	Any other relevant details which have bearing on lay-off/ continuation of lay off/ retrenchment/ closure.	

ANNEXURE II

(Details of affected workers)

Sl. No	UAN/ CMPFO	Name of worker	Category (highly skilled / skilled/ semi-skilled / unskilled)	Date from which in service in/with the said establishment /undertaking/ employer	Wage as on date of application	Remark
1						
2						
3						

FORM-XV

[See rule 38]

(NOTICE TO THE EMPLOYER/PERSON WHO COMMITTED AN OFFENCE FOR THE FIRST TIME)

The Compounding Officer, hereby informs you that the allegation has been made against you for violation of various provisions of this Code as per the details given below:—

PART - I

1. Name and address of the offender employer/person- ……..

2. Address of the establishment …….…….

4. Particulars of the offence ……

5. Section of the Code under which the offence is committed ……..

6. Compounding amount to be paid towards composition of the offence…….

PART – II

You are advised to deposit the above mentioned amount within fifteen days from the date of receipt of this notice for compounding of the offence read with rule 38, along with an application duly filled in Part – III of this notice.

In case you fail to deposit the said amount within the time so specified, no further opportunity shall be given to you and necessary steps shall be taken for filing of prosecution under section 87 of the Code.

(Signature of the compounding officer)

Date:

Place:

PART – III

1. Name of applicant (name of the employer/person who committed the offence under the Industrial Relations Code 2020 (35 of 2020) to be mentioned……..

2. Address of the applicant …….…….

3. Particulars of the offence ……
……..

4. Section of the Code under which the offence has been committed ……..

5. Details of the compounding amount deposited (electronically generated receipt to be attached)…….

6. Details of the prosecution, if filed for the violation of above mentioned offences may be given
……..

7. Whether the offence is first offence or the applicant had committed any other offence prior to this offence, if committed, then, full details of the offence
……
……
……..

8. Any other information which the applicant desires to provide
……
……
……..

Applicant
(Name and signature)

Dated:

Place:

Form- XVI
(*See* rule 40)

(COMPLAINT UNDER SECTION 91 OF THE INDUSTRIAL RELATIONS CODE, 2020)

Before the Conciliation officer/ Arbitrator/ Tribunal or, National Industrial Tribunal ----,

In the matter of:.....Reference No…….

A..... Complainant(s);
Versus

B..... Opposite Party(ies).
Address:

The petitioner(s) begs/beg to complain that the Opposite Party(ies) has/have been guilty of a contravention of the provisions of section 90 of the Industrial Relations Code, 2020 as shown below:

(Here set out briefly the particulars showing the manner in which the alleged contravention has taken place and the grounds on which the order or act of the
management is challenged.)

The complainant(s) accordingly prays/pray that the Conciliation officer/ Arbitrator/ Industrial Tribunal or National Industrial Tribunal may be pleased to decide the complaint set out above and pass such order or orders thereon as it may deem fit and proper.

The number of copies of the complaint and its annexure required under rule 40 are submitted herewith.

Dated this.....day of.....20..... Signature of the complainant(s)

Verification

I do solemnly declare that what is stated in paragraph..... above is true to my knowledge and that what is stated in paragraphs..... above is stated upon information received and believed by me to be true. This verification is signed by me at..... on .....day of.....20.....

Signature
or thumb impression of the person verifying_____.

[F. No. S-11025/01/2026-IR(PL)]
DEEPIKA KACHHAL, Jt. Secy.

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KUMER CHAND MEENA Digitally signed by KUMER CHAND MEENA Date: 2026.05.08 14:23:58 +05'30'

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಕುಸುಮ ಆರ್.ವಿ.)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-22

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 11 ಕೇನಿಪ್ರ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ:22 .06.2026.

ದಿನಾಂಕ: 08.05.2026ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Code on Wages (Central) Rules, 2026ನ GSR 343 (E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರುಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF LABOUR AND EMPLOYMENT

NOTIFICATION

New Delhi, the 8th May, 2026

G.S.R. 343(E).—Whereas the draft of the Code on Wages (Central) Rules, 2025 were published as required under sub-section (1) of section 67 of the Code on Wages, 2019 (29 of 2019) in the Gazette of India, Extraordinary, Part II, section 3, Sub-section (i), *vide* number G.S.R. 936 (E), dated the 30th December, 2025, inviting objections and suggestions from all persons likely to be affected thereby within a period of forty-five days from the date on which the Gazette containing the said notification were made available to the public;

And whereas, the notification was made available to the public on the 30th December, 2025;

And whereas, suggestions and objections received from persons and stakeholders have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 67 of the Code on Wages, 2019 (29 of 2019) and in supersession of –

(i) the Payment of Wages (Procedure) Rules, 1937;

(ii) the Payment of Wages (Railways) Rules, 1938;

(iii) the Minimum Wages (Central) Rules, 1950;

(iv) the Payment of Wages (Mines) Rules, 1956;

(v) the Payment of Wages (Procedure) Application to Scheduled employments Rules, 1962;

(vi) the Payment of Wages (Manner of Recovery of excess Deductions) Rules, 1966;

(vii) the Payment of Wages (Air Transport Services) Rules, 1968;

(viii) the Payment of Wages (Deductions for National Defence Fund and Defence Savings Scheme) Rules, 1972;

(ix) the Payment of Bonus Rules, 1975;

(x) the Equal Remuneration Rules, 1976; and

(xi) the Payment of Undisbursed Wages (Air Transport Services) Rules, 1988;

(xii) the Payment of Undisbursed Wages (Mines) Rules, 1989;

(xiii) the Central Advisory Committee on Equal Remuneration Rules, 1991;

(xiv) the Payment of Wages (Nomination) Rules, 2009;

(xv) the Minimum Wages (Central Advisory Board) Rules, 2011;

(xvi) the Code on Wages (Central Advisory Board) Rules, 2021;

(xvii) the Ease of Compliance to Maintain Register under Equal Remuneration Act, 1976 (25 of 1976), Minimum Wages Act, 1948 (11 of 1948) and the Payment of Wages Act, 1936 (4 of 1936),

except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

CHAPTER I

PRELIMINARY

1. Short title and commencement.- (1) These rules may be called the Code on Wages (Central) Rules, 2026.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.- (1) In these rules, unless the context otherwise requires. —

(a) "appeal" means an appeal under sub-section (1) of section 49;
(b) "appellate authority" means the appellate authority appointed by the Central Government under sub-section (1) of section 49;
(c) "appendix" means Appendix annexed to these rules;
(d) "authority" means the authority appointed by the Central Government under sub-section (1) of section 45;
(e) "Board" means the Central Advisory Board constituted by the Central Government under sub-

section (1) of section 42;

(f) "Chairperson" means the Chairperson of the Board;

(g) "Code" means the Code on Wages, 2019 (29 of 2019);

(h) "Committee" means a committee appointed by the Central Government under clause (a) of sub-section (1) of section 8;

(i) "day" means a period of twenty-four hours beginning at mid-night;

(j) "electronically" means any information submitted by email or maintained or displayed on the designated portal or mobile application or website or digital payment in any mode for the purposes of the Code;

(k) "form" means the forms appended to these rules;

(l) "geographical area" means the areas notified by the Central Government from time to time.

(m) "highly skilled occupation" means an occupation which calls in its performance a specific level of perfection and required competence acquired through intensive technical or professional training or practical occupational experience for a considerable period and also requires of an employee to assume full responsibility for judgment or decision involved in the execution of such occupation;

(n) "Inspector-cum-Facilitator" means a person appointed by the Central Government, under sub-section (1) of section 51;

(o) "member" means a member of the Board;

(p) "normal rate of wage" means wage as defined under clause (y) of section 2;

(q) "registered trade union" means a trade union registered under the Industrial Relations Code, 2020 (35 of 2020);

(r) "section" means a section of the Code;

(s) "semi-skilled occupation" means an occupation which in its performance requires the application of skill gained by the experience on job which is capable of being applied under the supervision or guidance of a skilled employee and includes supervision over the unskilled occupation;

(t) "skilled occupation" means an occupation which involves skill and competence in its performance through experience on the job or through training as an apprentice in a technical or vocational institute and the performance of which calls for initiating and judgment;

(u) "unskilled occupation" means an occupation which in its performance requires the application of simply the operating experience and involves no further skills.

(2) Words and expressions used in these rules but not defined herein, shall have the meanings respectively assigned to them under the Code.

CHAPTER II

MINIMUM WAGES

3. Manner of calculating minimum rate of wages.–(1) For the purposes of sub-section (5) of section 6, the minimum rate of wages shall be fixed by the day basis keeping in view the criteria which shall be separately specified by the Central Government by special or general order:

Provided that the Central Government shall not fix the minimum wages of the Central Government employees under this Code.

(2) Where the rate of wages for a day is fixed, such amount shall be divided by eight for fixing the rate of wages for an hour and multiplied by twenty six for fixing the rate of wages for a month and in such

division and multiplication the factors of one-half and more than one-half shall be rounded as next figure and the factors less than one-half shall be ignored.

(3) In case there is less than six days working week, the hourly rate of minimum wages so calculated shall be used to derive the minimum wages for the day.

4. Interval for revision of variable dearness allowance.- The cost of living allowance and the cash value of the concession in respect of essential commodities at concession rate shall be computed once before 1st April and then before 1st October in every year to revise the variable dearness allowance payable to the employees on the minimum wages considering the Average Consumer Price Index Number for Industrial Workers published by the Labour Bureau, Ministry of Labour and Employment, Government of India.

5. Hours of work for normal working day. - (1) The number of hours of work which shall constitute normal working day for an employee whose wage period is on a daily basis shall be eight hours and interval for rest shall be in accordance with notification issued in this regard under Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020).

(2) The number of hours of work which shall constitute a normal working day for an employee whose wage period is other than on a daily basis shall be so fixed that the total number of weekly working hours shall not exceed forty-eight hours.

6. Weekly day of rest.— (1) Subject to the provisions of this rule, an employee shall be allowed rest for one day in every week (hereinafter referred to as "the rest day"), in case of six-day working week which shall ordinarily be a Sunday and in case of less than six-days working week, the rest day shall include Saturday and Sunday, however, the employer may fix any other day of the week as the rest day for any employee or class of employees:

Provided that in a six-days working week or less than six days working week, as the case may be, the remaining days of the week shall be paid rest days for such employees:

Provided further that an employee shall be entitled for the rest day under this sub-rule, if he has worked under the same employer in case of six-days working week for a continuous period of not less than six days and in case of less than six-days working week for a continuous period of the stipulated number of working days, as the case may be:

Provided also that the employee shall be informed of the day fixed as the rest day and of any subsequent change in the rest day before the change is effected, by display of a notice to that effect at a conspicuous place in the place of employment or electronically.

Explanation.- For the purpose of computation of the continuous period of not less than six days or the stipulated number of days worked in a week specified in the second proviso to this sub-rule,

(a) any day on which an employee is required to attend for work but is given only an allowance for attendance and is not provided with work;

(b) any day on which an employee is laid off on payment of compensation under the Industrial Relations Code, 2020 (35 of 2020), and;

(c) any leave or holiday, with or without pay, granted by the employer to an employee in the period of six days or during the stipulated number of working days of a week, as the case may

be, immediately preceding the rest days.

(2) An employee shall not be required or allowed to work on the rest day unless he is allowed a substituted rest day on one of the working days in a week immediately before or after the rest day:

Provided that no substitution shall be made, which shall result in the employee working for more than ten days consecutively without a rest day.

(3) Where any employee works on a rest day and has been given a substituted rest day on any working days before or after the rest day, the rest day shall, for the purposes of calculating the weekly hours of work, be included in the week in which the substituted rest day occurs.

(4) An employee shall be granted for rest day, wages calculated at the rate applicable to the previous working day; where he works on the rest day and has been given a substituted rest day, then, he shall be paid wages for the rest day on which he worked, at the overtime rate and wages for the substituted rest day at the rate applicable to the previous working day:

Provided that in case of six-days working week where——

(i) the minimum rate of wages of the employee as notified under the Code has been worked out by dividing the minimum monthly rate of wages by twenty- six; or

(ii) the actual daily rate of wages of the employee has been worked out by dividing the monthly rate of wages by twenty-six and such actual daily rate of wages is not less than the notified minimum daily rate of wages of the employee, then, no wages for the rest day shall be payable; and

(iii) the employee works on the rest day and has been given a substituted rest day, then, the employee shall be paid, only for the rest day on which he worked, an amount equal to the wages payable at the overtime rate, which shall not be less than twice the normal rate of wages,

and, in case any dispute arises whether the daily rate of wages has been worked out in accordance with the provisions of this proviso, the Chief Labour Commissioner (Central) or the Deputy Chief Labour Commissioner (Central) having jurisdiction may, on application made in this behalf, decide the same, after giving an opportunity to the parties concerned to make written representations**:**

Provided further that in case of an employee governed by a piece-rate system, the employee shall be paid wages for the rest day on which he works, at the overtime rate and wages for the substituted rest day at the rate applicable to the previous working day.

Explanation.- For the purpose of this sub-rule, the words 'previous working day' means the last day on which the employee has worked, which precedes the rest day or the substituted rest day, as the case may be; and where the substituted rest day falls on a day immediately after the rest day, the previous working day means the last day on which the employee has worked, which precedes the rest day.

(5) The provisions of this rule shall not operate to the prejudice of more favourable terms, if any, to which an employee may be, entitled under any other law or under the terms of any award, agreement or contract of service, and in such a case, the employee shall be entitled only to more favorable terms.

Explanation.- For the purposes of this rule, the expression 'week' shall mean a period of seven days beginning at midnight on Saturday night.

7. Night shifts. —Where an employee works on a shift which extends beyond midnight, then, ——

(i) a rest day for the whole day for the purposes of rule 6 shall, in this case means a period of twenty-four consecutive hours beginning from the time when his shift ends; and
(ii) the following day in such a case shall be deemed to be the period of twenty-four hours beginning from the time when such shift ends and the hours after midnight during which such employee was engaged in work shall be counted towards the previous day.

8. Extent and conditions of working hours for certain categories of employees.- The number of working hours for certain categories of employees under sub-section (2) of section 13 may exceed the normal working hours, specified in rule 5:

Provided that the overtime of these categories of employees shall be as per section 14.

9. Longer wage period. - The longer wage period for the purposes of minimum rate of wages under section 14 shall be by the month.

CHAPTER III

FLOOR WAGES

10. Manner of fixing floor wage.- (1) For fixing the floor wage, the Central Government may consult the Board, taking into account the minimum living standard including the food, clothing, housing and any other factors considered appropriate by the Central Government from time to time.

(2) The consultation under sub-rule (1) may be circulated to all the State Governments for further consultation and their comments.

(3) The consultation of the Board and the views of the State Governments received may be considered before fixing the floor wage under sub-rule (1).

(4) The Central Government may revise the floor wage fixed under sub-rule (1) ordinarily at an interval not exceeding five years and undertake adjustment for variations in the cost of living periodically in consultation with the Board and the State Governments.

CHAPTER IV

PAYMENT OF WAGES

11. Payment of wages to contractual employee.- Where the employees are employed in an establishment through a contractor, the company or firm or association or any other person who is the proprietor of the establishment shall pay to the contractor, the amount payable in respect of the wages of employees in accordance with the provisions of the Code.

Explanation: -For the purpose of this rule, the expression "firm" shall have the meaning as assigned to it in the Indian Partnership Act, 1932 (9 of 1932).

12. Payment of wages for less than normal working day.— An employee shall not be entitled to receive wages for a full normal working day under section 10, in case the employee had agreed to work on part time basis, as per the terms of the employment or not entitled to receive such wage under any other labour law for the time being in force.

13. Recovery of deductions.— As per sub-section (4) of section 18, where the total deductions authorised under sub-section (2) of section 18 exceed fifty per cent. of the wages of an employee, the excess shall be carried forward and recovered from the wages of succeeding wage period, in instalments so that the recovery in any month shall not exceed the fifty per cent. of the wages of the employee in that month.

14. Authority for approving acts and omissions.— The Deputy Chief Labour Commissioner (Central) having jurisdiction over the place of work of the employee concerned shall be the authority for approving acts and omissions for the purposes of sub-section (1) of section 19.

15. Manner of exhibiting notice specifying acts and omissions.— A notice referred to in sub-section (2) of section 19 shall be displayed in physical form or electronically in Hindi, English and local language at the conspicuous place in the premises of the work place in which the employment is carried on and a copy of the notice shall be sent electronically or by speed post to the Inspector-cum-Facilitator having jurisdiction.

16. Procedure for imposing fines.— (1) As per sub-section (3) of section 19, the employer shall give intimation electronically or in writing to the employee concerned specifying therein the particulars of acts and omissions done by the employee, warranting the imposition of fine, for showing cause within seven days.

(2) On establishment of charges, fine shall be imposed on the delinquent employee.

(3) Wherein no reply is received from the employee within the scheduled period, fine shall be imposed and the same shall be intimated to the employee within fifteen days of the imposition of such fine.

17. Intimation of deduction for absence from duty.—(1) When an employer intends to make any deduction in pursuance of the proviso to sub-section (2) of section 20, the employer shall intimate electronically or in writing to the employee concerned regarding their intention of making such deduction seeking their reply within a period of seven days and on establishment of charges, deduction shall be made from the wages of the employee in accordance with sub- section (3) of section 18.

(2) If no reply is received from the employee concerned within seven days, the employer shall make such deduction from the wages and the same shall be intimated to the employee within fifteen days of the date of such deduction.

18. Procedure for deduction for damage or loss.—(1) Any employer intending to make deduction for damages or loss under sub-section (1) of section 21 from the wages of an employee, shall give the employee an opportunity to submit explanation within a period of seven days, showing cause, the value of the damage caused or loss of goods expressly entrusted to the employee.

(2) On establishment of the charges, deductions shall be made from the wages of the employee in accordance with sub-section (3) of section 18.

(3) In case no reply is received from the employee concerned within seven days, the employer shall make such deduction from the wage of the employee concerned and the same shall be intimated to the employee within fifteen days of the date of such deduction.

19. Conditions regarding recovery of advance:— The recovery of,——

(i) advances of money given to an employee after the employment begins under clause (b) of section 23; or

(ii) advances of wages to an employee not already earned under clause (c) of section 23,

as the case may be, shall be made by the employer from the wages of the concerned employee in instalments determined by the employer, so as any or all instalments in a wage period, shall not exceed fifty per cent of the wages of the employee subject to the ceiling specified in rule 13 in that wage period and the particulars of such recovery shall be recorded in the register maintained in Form-IV.

20. Deduction for recovery of loans:— As per section 24, deductions for recovery of loans granted and the interest due in respect thereof shall be as per extant instructions or guidelines of the Central Government regulating the extent to which such loans may be granted and the rate of interest that shall be payable thereon.

CHAPTER V

PAYMENT OF BONUS

21. Payment of bonus to contractual employee.- Where in an establishment, the employees are employed through a contractor and the contractor fails to pay the bonus under section 26, the company or firm or association or other person as referred to in the proviso to section 43 shall, on the written information of such failure given by the employees or any registered trade union or unions of which the employees are members and on confirming such failure, pay minimum bonus to the employees.

22. Calculation for sixth accounting year:— For the sixth accounting year, set on or set off, as the case may be, shall be made under clause (i) of sub-section (7) of section 26, in the manner illustrated in Appendix A, taking into account the excess or deficiency, if any, as the case may be, of the allocable surplus set on or set off, in respect of the fifth and sixth accounting years.

23. Calculation for seventh accounting year:— For the seventh accounting year, set on or set off, as the case may be, shall be made under clause (ii) of sub-section (7) of section 26, in the manner illustrated in Appendix A, taking into account the excess or deficiency, if any, as the case may be, of the allocable surplus set on or set off in respect of the fifth, sixth and seventh accounting years.

24. Computation of gross profits for banking company:— The gross profits derived by an employer from an establishment in respect of the accounting year shall in the case of banking company under clause (a) of section 32, be calculated in the manner specified in Appendix B.

25. Computation of gross profits for other than banking company:— The gross profits derived

by an employer from an establishment in respect of the accounting year shall, in a case other than banking company under clause (b) of section 32, be calculated in the manner specified in Appendix C.

26. Deduction of further sums from gross profit:— The further sums specified in respect of the employer in Appendix D shall be deducted from the gross profit as prior charges under clause (c) of section 34.

27. Manner of carrying forward when allocable surplus exceeds maximum bonus payable:— Under sub-section (1) of section 36, where for any accounting year, the allocable surplus exceeds the amount of maximum bonus payable to the employees in the establishment under section 26, then, the excess shall, subject to a limit of twenty per cent. of the total salary or wage of the employees employed in the establishment in that accounting year, be carried forward for being set on in the succeeding accounting year and so on upto and inclusive of the fourth accounting year to be utilised for the purpose of payment of bonus in the manner as illustrated in Appendix A.

28. Manner of carrying forward when there is no allocable surplus for payment of minimum bonus:— Under sub-section (2) of section 36, where for any accounting year, there is no available surplus or the allocable surplus in respect of that year falls short of the amount of minimum bonus payable to the employees in the establishment under section 26 and there is no amount or sufficient amount carried forward and set on under rule 27 which shall be utilised for the purpose of payment of the minimum bonus, then, such minimum amount or the deficiency, as the case may be, shall be carried forward for being set off in the succeeding accounting year and so on upto and inclusive of the fourth accounting year in the manner as illustrated in Appendix A.

CHAPTER VI

CENTRAL ADVISORY BOARD

A. Procedure of Central Advisory Board

29. Constitution of the Board.- The Board shall be constituted under sub-section (1) of section 42 by the Central Government consisting of persons to be nominated by the Central Government.

30. Meeting of the Board. - The Chairperson of the Board may, subject to the provisions of rule 32, call a meeting of the Board at any time as deemed fit:

Provided that on requisition in writing from not less than one half of the members, the Chairperson shall call a meeting within thirty days from the date of the receipt of such requisition.

31. Notice of meetings. - The Chairperson shall fix the date, time and place of every meeting and a notice in writing containing the aforesaid particulars along with a list of business to be conducted at the meeting shall be sent to each member by speed post or electronically at least fifteen days before the date fixed for such meeting:

Provided that in the case of an emergent meeting, notice of seven days may be given to every member.

32. Functions of Chairperson. – The Chairperson shall-

(i) preside at the meetings of the Board:

Provided that in the absence of the Chairperson, the members shall elect from amongst themselves by a majority of votes, a member who shall preside at such meeting;

(ii) decide agenda of each meeting of the Board;

(iii) where in the meeting of the Board, if any issue has to be decided by voting, conduct the voting and count or cause to be counted the secret voting in the meeting; and

(iv) such other functions that the Central Government may assign from time to time.

33. Quorum:—No business shall be transacted at any meeting unless at least one-third of the members and at least one representative member each of both the employers and the employee are present:

Provided that, if at any meeting less than one-third of the members are present, the Chairperson may adjourn the meeting to a date not later than seven days from the date of the original meeting and it shall thereupon be lawful to dispose of the business at such adjourned meeting irrespective of the number of members present:

Provided further that the date, time and place of such adjourned meeting shall be intimated to the members.

34. Disposal of business of Board.- All business of the Board shall be considered at the meeting of the Board and shall be decided by a majority of the votes of members present and voting and in the event of an equality of votes, the Chairperson shall have a casting vote:

Provided that the Chairperson may, if he thinks fit, direct that any matter shall be decided by the circulation of necessary papers and by securing written opinion of the members:

Provided further that no decision on any matter under the preceding proviso shall be taken, unless supported by not less than two-thirds majority of the members.

35. Method of voting.- Voting in the Board shall ordinarily be by show of hands, but if any member asks for voting by ballot or if the Chairperson so decides, the voting shall be by secret ballot and held in the manner as the Chairperson may decide.

36. Proceedings of meetings.- (1) The proceedings of each meeting of the Board showing inter alia the names of the members present thereat shall be forwarded to each member and to the Central Government as soon after the meeting *as possible* and in any case, not less than seven days before the next meeting.

(2) The proceedings of each meeting of the Board shall be confirmed with such modification, if any, as may be considered necessary at the next meeting.

37. Summoning of witnesses and production of documents:— (1) The Chairperson may summon any person to appear as a witness if required in the course of the discharge of his duty and require any person to produce any document.

(2) Every person who is summoned and appears as a witness before the Board shall be entitled to an allowance for expenses incurred in accordance with the scale for the time being in force for payment of such allowance to witnesses appearing before a civil court.

B. TERMS OF OFFICE OF MEMBERS OF BOARD

38. Term of office of members of Board.- (1) The term of office of the Chairperson and members, shall be three years commencing from the date of appointment or nomination, as the case may be:

Provided that the Chairperson or a member shall after the expiry of the said period of three years, continue to hold office until their successor is appointed or nominated.

(2) An independent member of the Board nominated to fill a casual vacancy shall hold office for the remaining period of the term of office of the member in whose place that independent member is nominated or till the time a regular incumbent joins.

(3) The official members of the Board shall hold office till they are replaced by respective such other official members.

(4) Notwithstanding anything contained in this rule, the members of the Board shall hold office during the pleasure of the Central Government.

39. Travelling allowance. - (1) The travelling allowance of an official member of the Board shall be governed by the rules applicable to them for the journey performed on official duties and shall be paid by the authority paying the salary.

(2) The non-official members of the Board shall be paid travelling allowance for attending the meeting of the Board as per the instructions issued by the Department of Expenditure, Ministry of Finance, Government of India from time to time.

Explanation.- For the purposes of this rule, the expression "official member" shall mean regular government officers, officiating as members of the Board in that capacity and "non-official member" shall be who are not "official members".

40. Officers and staff of Board. - The Central Government may provide the necessary infrastructure, as it may think necessary for the proper functioning of the Board.

41. Eligibility for re-nomination of members of Board. - An outgoing member shall be eligible for re-nomination for the membership of the Board for not more than total two terms.

42. Resignation of Chairperson and members of Board. - (1) A member of the Board, other than the Chairperson, may, by giving notice in writing to the Chairperson, resign from the membership and the Chairperson may resign by a letter addressed to the Central Government.

(2) The resignation shall take effect from the date of communication of its acceptance or on the expiry of thirty days from the date of resignation, whichever is earlier.

(3) When a vacancy occurs or is likely to occur in the Board, the Chairperson shall submit a report to the Central Government immediately and the Central Government shall, take steps to fill the vacancy in accordance with the provisions of the Code.

43. Cessation of membership. - If a member of the Board fails to attend three consecutive meetings without prior intimation to the Chairperson, he shall cease to be a member thereof.

44. Disqualification. - (1) A person shall be disqualified for being nominated as and for being a member of the Board—

(i) if he is declared to be of unsound mind by a competent court; or

(ii) if he is an un-discharged insolvent; or
(iii) if before or after the commencement of the Code, he has been convicted of an offence involving moral turpitude.

(2) If any question arises whether a person has been subject to disqualification under sub-rule (1), the decision of the Central Government thereon shall be final.

CHAPTER VII

PAYMENT OF DUES, CLAIMS, ETC.

45. Payment of undisbursed dues to nominees in case of death of employee :— (1) (a) In pursuance of clause (a) of sub-section (1) of section 44, every employee shall make a declaration in Form-VII in physical form or electronically, nominating a person conferring the right to receive the amount that may stand in the credit of the employee on the event of death, before that amount standing to the credit of such employee has become payable or where the amount has become payable, before payment has been made.

(b) If the employee has a family at the time of making nomination, the nomination shall be in favour of the spouse or the spouse in preference followed by one or more members of the family:

Provided that nomination made by an employee having a family in favour of a person other than member of the family shall be invalid:

Provided further that a fresh nomination towards the spouse of the employee shall be made by the employee on marriage and any nomination made before such marriage shall be deemed to be invalid.

(c) Where the nomination is wholly or partly in favour of a minor, the employee may appoint a major person of the family, to be the guardian of the minor nominee or where there is no major person in the family, the employee may by discretion, appoint any other person to be the guardian of the minor nominee.

(d) If the employee nominates more than one member, the nomination shall specify the amount or share payable to each of the nominees at employee's own discretion so as to cover the whole of the amount that may stand to the credit of the employee.
(2) Where any amount payable to an employee under the Code is due after the death or on account of whereabouts not being known of the employee and the amount could not be paid to the nominee of the employee until the expiry of three months from the date the amount had become payable, then, such amount shall be deposited by the employer with the Deputy Chief Labour Commissioner (Central) having jurisdiction, who shall disburse the amount to the person nominated by the employee after ascertaining the identity of the employee within two months of the date on which the amount was so deposited.

46. Deposit of undisbursed dues in case of death of employee:— (1) Where any amount payable to an employee under clause (b) of sub-section (1) of section 44 remains undisbursed since no nomination has been made by such employee or for any other reason, such amounts could not be paid to the nominee of employee, all such amounts shall be deposited by the employer after the expiry of six-months from the date the amount become payable, with the Deputy Chief Labour Commissioner (Central) having jurisdiction before the expiry of the fifteenth day after the last day of the said period of six months.

(2) The amount to be deposited under sub-clause (1) shall be through bank transfer or through a crossed demand draft obtained from any scheduled bank in India drawn in favour of such Deputy Chief Labour Commissioner (Central).

47. Manner of dealing with deposit of undisbursed dues:– The undisbursed amount in sub rule (1) of rule 46 (hereinafter in this rule referred to as "the amount") shall remain with the concerned Deputy Chief Labour Commissioner (Central) and be invested in the Central or State Government Securities or deposited as a fixed deposit in a scheduled bank.

(2) The concerned Deputy Chief Labour Commissioner (Central) shall exhibit, as soon as may be possible, a notice containing such particulars as the Deputy Chief Labour Commissioner (Central) considers sufficient for information at least for fifteen days on the notice board and also publish such notice in any two local newspapers of vernacular language commonly understood in the area in which undisbursed wages were earned and also in two local newspapers in vernacular language in the area of permanent residence of the employee.

(3) Subject to the provisions of sub-rule (4), the concerned Deputy Chief Labour Commissioner (Central) shall release the amount to the nominee or to that person who has claimed such amount, as the case may be**,** in whose favour such Deputy Chief Labour Commissioner (Central) has decided, after giving the opportunity of being heard.

(4) In case the undisbursed amount remains unclaimed for a period of seven years, the same shall be dealt as directed by the Central Government from time to time in this behalf.

CHAPTER VIII

FORMS, REGISTERS AND WAGE SLIP

48. Returns. - The returns shall be filed electronically by every employer of an establishment to which the Code applies in the Forms under the Occupational, Safety Health and Working Conditions Code, 2020 (37 of 2020).

49. Form and procedure for filing claims:— (1) A single application on behalf of or in respect of any number of or group of employees employed in the same establishment wherein their claims relate to the same wage period or any incident of discrimination, may be filed under sub-section (5) of section 45 in Form-II, manually or electronically along with documents specified in the said Form, before the authority notified by Central Government under sub-section (1) of section 45 to hear and determine claims which arise under the provisions of the Code.

(2) Where an application under sub-rule (1) is filed, the authority shall serve upon the employer electronically or by speed post, a notice in Form VIII to appear before them on the date specified in the notice with all relevant documents and witnesses, if any, and shall inform the applicant of the date so specified.

(3) In case where the employer or their representative fails to appear on the specified date, the authority may hear and determine the application *ex-parte*.

(4) In case where the applicant or their representative fails to appear on the specified date without any reasonable cause shown in advance, the authority may dismiss the application.

50. Procedure for filing appeal:— (1) Any person aggrieved by an order passed by the authority under sub-section (2) of section 45 may prefer an appeal under sub-section (1) of section 49 in Form-III electronically or by speed post, along with documents mentioned by the appellant in the said Form, to the appellate authority having jurisdiction:

Provided that no appeal by an employer shall be admitted unless at the time of preferring the appeal, the appellant has deposited the claim amount with the appellate authority.

(2) Where an appeal under sub-section (1) of section 49 is entertained, the appellate Authority shall serve upon the respondent electronically or by speed post, a notice in Form VIII to appear before them on the date specified in the notice and shall inform the appellant of the date so specified.

(3) In case where the employer or their representative fails to appear on the specified date, the authority may hear and determine the application ex-parte.

(4) In case where the applicant or their representative fails to appear on the specified date, the authority may dismiss the appeal.

51. Form of register, etc.- (1) The employer of all establishments to which the Code applies shall maintain under sub-section (1) of section 50, electronically or in physical form in the formats appended to these rules, the following registers:—

(i) Employee Register in Form I;
(ii) Register of Wages, Overtime, Advances, Fines and Deductions for Damage and Loss in Form IV; and
(iii) Attendance Register-cum-Muster Roll in Form IX.

(2) All fines and all realisations referred to in sub-section (8) of section 19 shall be recorded in a register to be kept by the employer electronically or in physical form in Form - IV and the authority referred to in sub-section (8) shall be the Deputy Chief Labour Commissioner (Central) having jurisdiction.

(3) All deductions and realisations referred to in sub section (3) of section 21 shall be recorded in a register to be kept by the employer electronically or in physical form in Form IV.

(4) The registers maintained under these rules shall be preserved for a period of five years after the date of last entry made therein.

52. Wage slip. -Every employer shall issue wage slips, electronically or in physical form to the employees in Form V under sub-section (3) of section 50 on or before payment of wages.

53. Manner of holding enquiry:— (1) Where a complaint is filed before the officer appointed under sub-section (1) of section 53 (hereinafter in this rule referred to as "the officer") in respect of the offences referred to in said sub-section, either by an officer authorised for such purpose by the Central Government or by an employee aggrieved or a registered trade union registered under the Industrial Relations Code, 2020 (35 of 2020) or an Inspector-cum-Facilitator, the officer after considering such evidence as produced by the complainant, is of the opinion that an offence has been committed, shall issue summons

to the offender on the address specified in the complaint fixing a date for his appearance.

(2) If the offender to whom the summons has been issued under sub-rule (1) appears or is produced before the officer, the officer shall explain the offender the offence complained against and if the offender pleads guilty, the officer shall impose penalty in accordance with the provisions of the Code and if the offender does not plead guilty, the officer shall take evidence of the witnesses produced by the complainant on oath and provide opportunity of cross examination of the witnesses so produced.

(3) The officer shall record in writing the statement of the witnesses on oath and in cross examination and take the documentary evidence on record.

(4) The officer shall, after the complainant's evidence is complete, provide an opportunity of defence to the accused person and the witnesses produced by the accused shall be cross examined after their statements on oath by the complainant and documentary evidence in defence shall be taken on record by the officer.

(5) The officer shall after hearing the parties and considering the evidence both oral and documentary, decide the complaint in accordance with the provisions of the Code.

54. Manner of composition of offences:—(1) An accused person desirous of composition of offence under sub-section (1) of section 56 may make an application in Form VI electronically or manually to the Gazetted Officer notified under said sub-section.

(2) The Gazetted Officer referred to in sub-rule (1) shall on receipt of such application, satisfy as to whether the offence is compoundable or not under the Code and, if the offence is compoundable and the accused person agrees for the composition, compound the offence for a sum of fifty per cent of the maximum fine provided for such offence under the Code, to be paid by the accused within thirty days of the order of composition issued by such officer.

(3) The compounding officer shall issue a composition certificate in Part-B of Form-VI within ten days of receipt of the composition amount, to such person from whom such amount has been received in compliance of the composition notice.

(4) In case where a person so noticed fails to deposit the composition amount within the time specified by the compounding officer, prosecution shall be instituted before the competent court against such person for such offence in respect of which the compounding notice was issued.

(5) Where the offence has been compounded under sub-rule (2) after the institution of the prosecution, the officer shall send a copy of such order for intimation to the officer referred to in sub-section (1) of section 53 for action under sub-section (6) of section 56.

FORM I

(See clause (i) of sub-rule (1) of rule 51)

EMPLOYEE REGISTER

Name of the Establishment		
Name of the Employer		
Name of the Owner		
PAN/TAN of the Employer		
Registration Number of the establishment (Labour Identification Number (LIN) shall be the Registration Number of the Establishment)		
1.	Employee Code	
2.	Name	
3.	Surname	
4.	Gender	
5.	Father's/Mother's/Spouse Name	
6.	Date of Birth	
7.	Place of Birth	
8.	Nationality	
9.	Education Level	
10.	Date of Joining	
11.	Designation	
12.	Category (HS/S/SS/US)*	
13.	Type of Employment (P/T/FT/T/B)**	
14.	Details of Posting	
15.	Pay	
16.	Promotion	
17.	Mobile Number	
18.	Universal Account Number (UAN)	
19.	PAN	
20.	Nominee (To be filled on the basis of Nomination form)	
21.	Details of Family	
22.	EPS/NPS	
23.	ESIC IP No.	
24.	AADHAAR NO.	
25.	Bank A/c Number	
26.	Bank	
27.	Branch (IFSC)	
28.	Present Address	
29.	Permanent Address	
30.	Service Book No.	
31.	Date of Exit	
32.	Reason for Exit	
33.	Mark of Identification	
34.	Photo	
35.	Specimen Signature/Thumb Impression	
36.	Remarks	

* (Highly Skilled/Skilled/Semi skilled/Unskilled)

** (Permanent/Temporary/Fixed Term/Trainee/Badli)

FORM-II

[See sub rule (1) of rule 49]

[SINGLE APPLICATION UNDER SUB-SECTION (5) OF SECTION 45]

BEFORE THE AUTHORITY APPOINTED UNDER SUB SECTION (1) OF SECTION 45 OF THE CODE ON WAGES, 2019 (29 OF 2019)

FOR……. AREA…… Application No ..... of 20……

Between ABC and (State the number)……other.....Applicant

(Through employees concerned or registered trade union or Inspector- cum- Facilitator

Address…….

And XYZ…….

Address…… The

application states as follows:

(1) The applicant(s) whose name(s) appear in the attached schedule was/were/has/have been employed from ……to…… as……(category) in..... (establishment) Shri/M/s……engaged in ……(nature of work) which is/are covered by the Code on Wages, 2019.

(2) The opponent(s) is/are the employer(s) within the meaning of section 2(l) of the Code on Wages, 2019.

(3) (a)The applicant(s) has/ have been paid wages at less than the minimum rates of wages fixed for their category (categories) of employment(s) under the Code by Rs…. ……Per day for the period(s) from……to…… ……

(b) The applicant(s) has/ have not been paid wages at Rs ..... Per day for the weekly days of rest from.....to…

(c) The applicant(s) has/ have not been paid wages at overtime rate(s) for the period from……to….

(d) The applicant(s) has/have not been paid wages for period from ……to……. (e)Deductions have been made which are in contravention of the Code, from the wage(s) of the applicant(s) as per details specified in the annexure appended with this application.

(f) The applicant(s) has/have not been paid minimum bonus for the accounting year ……..

(4) The applicant(s) estimate(s) the value of relief sought by him/ them on each amount as under:

(a) Rs…….

(b) Rs…….

(c) Rs……. Total

Rs…….

(5) The applicant(s), therefore, pray(s) that a direction may be issued under section 45(2) of the Code on Wages, 2019 for;

(a) payment of the difference between the wages payable under the Code and the wages actually paid,

(b) payment of remuneration for the days of rest

(c) payment of wages at the overtime rates,

(d) compensation amounting to Rs……

(6) The applicant(s) do hereby solemnly declare(s) that the facts stated in this application are true to the best of his/their knowledge, belief and information.

Dated

Signatire of thumb-impression of the
Emplyed person(s) of official of a
registerd trade union duly authorized or
inspector-cum-Faciliator

Note:The applicant(s), if required, may append annexures containing details, with this application.

FORM III

(See sub rule (1) of rule 50)

APPEAL UNDER SECTION 49(1) OF THE CODE ON WAGES, 2019 BEFORE THE APPELLATE AUTHORITY UNDER THE CODE ON WAGES, 2019

A.B.C
Address……
… .....APPELLANT

Vs.

C.D.E.
Address……...……
RESPONDENT

DETAILS OF APPEAL:

1. Particulars of the order against which the appeal is made : Number and date :
The authority who has passed the impugned order:
Amount awarded:
Compensation awarded , if any :

2. Facts of the case :
(Give here a concise statement of facts in a chronological order, each paragraph containing as nearly as possible a separate issue or fact).

3. Grounds for appeal :

4. Matters not previously filed or pending with any other Court or any Appellate Authority:
The appellant further declares that he had not previously filed any appeal, writ petition or suit regarding the matter in respect of which this appeal has been made, before any Court or any other Authority or Appellate Authority nor any such appeal, writ petition or suit is pending before any of them.

5. Reliefs sought :
In view of the facts mentioned above the appellant prays for the following relief(s) :—[Specify below

the relief(s) sought]

6. List of enclosures:
1.
2.
3.
4.
…….. Date :
Place :

Signature of the appellant.

For office use

Date of filing or
Date of receipt by post
Registration No.

Authorized Signatory

FORM-IV

(See clause (ii) of sub rule (1) of rule 51)

REGISTER OF WAGES, OVERTIME, ADVANCES, FINES AND DEDUCTIONS FOR DAMAGE AND LOSS

Name of the Establishment	
Name of the Employer	
Name of the Owner	
PAN/TAN of the Employer	
Registration Number of the establishment (Labour Identification Number (LIN) shall be the Registration Number of the Establishment)	

Sl. No.	Sr. No. in Employee Register/ Employee Code	Name of the employee	Designation	Department	Duration of Payment of wages (Monthly/ Fortnightly/Weekly/ Daily/Piece rated)	Wage Period From-To	Total no. of days worked during the wage period	Total overtime hours worked or overtime production in case of piece workers	Rate of wages		
									Basic	DA	Allowances
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)	(12)

Amount of wages earned					Deductions										Net Payment
Basic	DA	Allowances	Overtime	Total wages earned	EPF	ESIC	Society	Income Tax	Insurance	Advances	Recovery of Fine	Recovery on account of Damages/ Losses	Total Deductions	Others	
(13)	(14)	(15)	(16)	(17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)	(25)	(26)	(27)	(28)

Date of Payment	Receipt by employee/Bank transaction ID	Nature of acts and omissions for which fine imposed with date	Amount of fine imposed	Damage or loss caused to the employer by neglect or default of the employee	Signature of Employer/Employer Representative*
(28)	(29)	(30)	(31)	(32)	(33)

*Note: Required in case register is maintained physically.

FORM V (See rule 52)		
WAGE SLIP		
Date of issue		
Name of the Establishment		
Address		
Period		
1.	Name of employee	
2.	Father's/Mother's/Spouse Name	
3.	Designation	
4.	UAN	
5.	Bank Account Number	
6.	Wage period	
7.	Rate of wages payable	
	a. Basic	
	b. DA	
	c. Allowances	
8.	Total attendance/unit of work done	
9.	Overtime wages	
10.	Gross wages payable	
11.	Total deductions	
	a. PF	
	b. ESI	
	c. Others	
12.	Net wages paid	
*Employer / Pay-in-charge signature		

Note: Required in case register is maintained physically

FORM VI
Part - A
[See sub rule (1) of rule 54]
APPLICATION UNDER SUB-SECTION (4) OF SECTION 56 FOR COMPOSITION OF OFFENCE

1. Name of applicant :

2. Father's / Spouse name :

3. Address of the applicant :

4. Particulars of the offence:**..... .....**
……

5. Section of the Code under which the offence is committed :
……..

6. Maximum fine provided for the offence under the Code :
…….

7. Whether prosecution against the applicant is pending or not
……..

8. Whether the offence is first offence or the applicant had committed any other offence prior to the offence. If yes, then, full details of the prior offence.
……

9. Any other information which the applicant desires to provide
……

Applicant (Name and signature)

Dated:

PART – B
[See rule 54 (3)]

Composition Certificate

Ref: Notice No…….. Date:

This is to certify that the offence under sub-section …… of section 54 in respect of which Notice No. Dated: _____ was issued to Sh……. (Applicant), the employer of ……. (name and registration number of establishment) has been compounded on account of remission of full amount of Rs …….. (Rupees _____) towards the composition of offences to the satisfaction of the said notice.

(Signature)
Name and Designation of the Officer

Date:
Place:
To:
……..(Employer/Establishment)
……(Name and registration number)
…….(Address)

FORM-VII

(See clause (a) of sub rule (1) of rule 45) NOMINATION

FORM

1. Name of person making nomination:
(In block letters):
2. Father's/Spouse's Name:
3. Date of Birth:
4. Sex:

5. Marital Status:
6. Address:
Permanent:
Temporary:

I hereby nominate the person(s)/cancel the nomination made by me previously and nominate the person(s) mentioned below to receive any amount due to me from the employer in the event of my death:-

Name of nominee/nominees	Address	Nominee's relationship with the employee	Date of Birth	Total amount of share of accumulations in credit to be paid to each nominee	If the nominee is minor, name, relationship, and address of the guardian who may receive the amount during the minority of nominee
(1)	(2)	(3)	(4)	(5)	(6)

1. Certified that I have no family and if I acquire a family hereafter, the above nomination shall be deemed as cancelled.
2. Certified that my father/mother is/are dependent upon me.
3. Strike out whichever is not applicable.

Signature or the thumb impression of the employee

CERTIFICATE BY EMPLOYER

Certified that the above declaration and nomination has been signed/thumb impressed before me by Shri/Smt/Ku .....employed in my establishment after he/she has read the entry/entries or have been read over to him/her by me and got confirmed by him/her in either of the cases. Signature of the

employer or other authorised officer of the establishment and Designation Place:

Date:

Name and Address of the Factory/Establishment and rubber stamp thereof

ACKNOWLEDGEMENT BY THE EMPLOYEE

Received the duplicate copy of nomination in Form-VIII filed by me and duly certified by the employer. Date:

Signature of the Employee

FORM VIII

(See sub rule (2) of Rule 49)

(A). FORM OF NOTICE TO THE RESPONDENT TO BE ISSUED BY THE AUTHORITY UNDER SUB-SECTION (5) OF SECTION 45

(Title of the application)

To

Name Address

Whereas (name of the applicant) has made the above said application tome under the Code on Wages, 2019, you are hereby summoned to appear before me in person or by a duly authorized representative, and required to answer all material questions relating to the application, or shall be, accompanied by some person duly authorized by you and able to answer such question on the…….Day of…….20….at……AM/PM, to answer the claim in application and as the day fixed for the appearance is appointed for the final disposal of the application, you must be prepared to produce on that day all the witnesses upon whose evidence and the documents upon which you intend to rely in support of your defense.

Take notice that in default of your appearance on the day mentioned here above, the application will be heard and disposed of in your absence.

Date……. Signature of the authority with seal

(B). FORM OF NOTICE TO THE RESPONDENT TO BE ISSUED BY THE APPELLATE AUTHORITY UNDER SUB-SECTION (1) OF SECTION 49

(Title of the appeal)

To

Name Address

Take notice that an appeal (copy of which is enclosed) under section 49 of the Code on Wages, 2019 has been presented by_____(name of appellant) before this appellate authority, and that the _____ day of _____20__ has been fixed by this appellate authority for the hearing of the appeal.

If no appearance is made by you in person or by a duly authorized representative to act for you in this appeal, it will be heard and decided in your absence.

Date……. Signature of the Appellate authority with seal

Form IX (See clause (iii) of sub rule (1) of Rule 51)					
ATTENDANCE REGISTER CUM MUSTER ROLL					
Name of the Establishment					
Name of the Employer					
Name of the Owner					
Registration Number of the establishment (Labour Identification Number (LIN) shall be the Registration Number of the Establishment)					
For the Month of					
Sl. No.	Employee Code	Name	Designation	Shift	Place of work/Section/Department
(1)	(2)	(3)	(4)	(5)	(6)

Date and Time of attendance (7)																						
Date	1		2		3		4		5		6		7		8		9		10		11	
Time	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Signature																						

Date	12		13		14		15		16		17		18		19		20		21	
Time	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Signature																				
Date	22		23		24		25		26		27		28		29		30		31	
Time	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out
Signature																				

Total number of days worked	Total number of overtime hours worked	Brief details of tour or assignment outside the work place, if any	Signature of Register keeper*
(8)	(9)	(10)	(11)

*Note: Required in case register is maintained physically.

Appendix A

[See rules 22, 23, 27 and 28]

In this Appendix, the total amount of bonus equal to 8.33 per cent of the annual salary or wage payable to all the employees is assumed to be Rs. 1,04,167. Accordingly, the maximum bonus to which all the employees are entitled to be paid (twenty per cent of the annual salary or wage of all the employees) would be Rs. 2,50,000.

Year	Amount equal to sixty per cent. or sixty-seven per cent., as the case may be, of available surplus allocable as bonus	Amount payable as bonus	Set on or Set off of the year carried forward	Total set on or set off carried forward	
(1)	(2)	(3)	(4)	(5)	(6)
	Rs.	*Rs.*	*Rs.*	*Rs.*	*Of (year)*
1.	1,04,167	1,04,167**	Nil	Nil	
2.	6,35,000	2,50,000*	Set on 2,50,000*	Set on 2,50,000*	(2)
3.	2,20,000	2,50,000* (inclusive of 30,000 from year-2)	Nil	Set on 2,20,000	(2)
4.	3,75,000	2,50,000*	Set on 1,25,000	Set on 2,20,000 1,25,000	(2) (4)
5.	1,40,000	2,50,000* (inclusive of 1,10,000 from year-2)	Nil	Set on 1,10,000 1,25,000	(2) (4)

6.	3,10,000	2,50,000*	Set on 60,000	Set on Nil + 1,25,000 60,000	(2) (4) (6)
7.	1,00,000	2,50,000* (inclusive of 1,25,000 from year-4 and 25,000 from year-6)	Nil	Set on 35,000	(6)
8.	Nil (due to loss)	1,04,167**(inclusive of 35,000 from year-6)	Set off 69,167	Set off 69,167	(8)
9.	10,000	1,04,167**	Set off 94,167	Set off 69,167 94,167	(8) (9)
10.	2,15,000	1,04,167** (after setting off 69,167 from year-8 and 41,666 from year-9)	Nil	Set off 52,501	(9)

* Maximum.
+ The balance of Rs. 1,10,000 set on from year-2 lapses.
** Minimum

Appendix B

COMPUTATION OF GROSS PROFITS

[See rule 24] Accounting year ending .....

Item No.	Particulars	Amount of sub-Items	Amount of main Items	Remarks
		Rs.	Rs.	
(1)	(2)	(3)	(4)	(5)
*1.	Net Profit as shown in the Profit and Loss Account after making usual and necessary provisions.			
2.	Add back provision for:			
	(a) Bonus to employees			
	(b) Depreciation			
	(c) Development Rebate Reserve			See foot-
	(d) Any other reserves			note(1)
	Total of Item No. 2……..	Rs……		
				See foot-note(1)

3.	Add back also: (a) Bonus paid to employees in respect of previous accounting years. (b) The amount debited in respect of gratuity paid or payable to employees in excess of the aggregate of – (i) the amount, if any, paid to, or provided for payment to, an approved gratuity fund; and (ii) the amount actually paid to employees on their retirement or on termination of their employment for any reason. (c) Donations in excess of the amount admissible for income-tax . (d) Capital expenditure (other than capital expenditure on scientific research which is allowed as a deduction under any law for the time being in force relating to direct taxes) and capital losses (other than losses on sale of capital assets on which depreciation has been allowed for income tax). (e) Any amount certified by the Reserve Bank of India in terms of sub-section (2) of section 34A of the Banking Regulation Act, 1949 (10 of 1949). (f) Losses of, or expenditure relating to, any business situated outside India. Total of Item No.3……..	Rs…….		See foot-note(1) See foot-note(1)
4.	Add also income, profits or gains (if any) credited directly to published or disclosed reserves, other than- (i) capital receipts and capital profits (including profits on the sale of capital assets on such depreciation has not been allowed for income-tax); (ii) profits of, and receipts relating to , any business situated outside India; (iii) income of foreign banking companies from investment outside India. Net total of Item No.4…….	Rs…….		
5.	Total of Item Nos.1, 2, 3 and 4…	Rs…….		

6.	Deduct : (a) Capital receipts and capital profits (other than profits on the sale of assets on which depreciation has been allowed for income-tax). (b) Profits of, and receipts relating to any business situated outside India. (c) Income of foreign banking companies from investments outside India . (d) Expenditure or losses (if any) debited directly to published or disclosed reserves, other than – (i) capital expenditure and capital losses (other than losses on sale of capital assets on which depreciation has not been allowed for income-tax); (ii) losses of any business situated outside India.			See foot-note (2) See foot-note (2) See foot-note (2) See foot-note (3)
	(e) In the case of foreign banking companies proportionate administrative (overhead) expenses of head-office allocable to Indian business. (f) Refund of any excess direct tax paid for previous accounting years and excess provision if any of previous accounting years, relating to bonus, depreciation or development rebate, if written back. (g) Cash subsidy, if any, given by the government or by anybody corporate established by any law for the time being in force or by any other agency through budgetary grants, whether given directly or through any agency for specified purposes and the proceeds of which are reserved for such purposes . Total of Item No. 6 ……	Rs……..		See foot-note (2) See foot-note (2)
7.	Gross profits for purposes of bonus (Item No. 5 minus Item No. 6)		Rs……..	

***Explanation*.—** In sub-item (b) of Item 3, "approved gratuity fund" has the same meaning assigned to it in clause (5) of section 2 of the Income Tax Act,1961.

* Where the profit subject to taxation is shown in the Profit and Loss account and the provision made for taxes on income is shown, the actual provision for taxes on income shall be deducted from the profit.

Foot-note:-

(1) If, and to the extent, charged to Profit and Loss Account.

(2) If, and to the extent, credited to Profit and Loss Account.
(3) In the proportion of Indian Gross Profit (Item No. 7) to Total World Gross Profit (as per consolidated profit and loss account adjusted as in Item No. 2 above only)]

Appendix C

COMPUTATION OF GROSS PROFITS

[(See rule 25)] Accounting year ending……

Item No.	Particulars	Amount. Of sub-Items	Amount. Of main Items	Remarks
		Rs.	Rs.	
(1)	(2)	(3)	(4)	(5)
1.	Net profit as per profit and loss account			
2.	Add back provision for : (a) Bonus to employees (b) Depreciation. (c) Direct taxes, including the provision (if any), for previous accounting years (d) Development rebate / investment allowance / development allowance reserve. (e) Any other reserves Total of Item No.2……..	Rs……		See foot-note (1) See foot-note (1)
3.	Add back also : (a) Bonus paid to employees in respect of previous accounting years. (aa) The amount debited in respect of gratuity paid or payable to employees in excess of the aggregate of- (i) the amount, if any, paid to, or provided for payment to, an approved gratuity fund; and (ii) the amount actually paid to employees on their retirement or on termination of their employment for any reason. (b) Donations in excess of the amount admissible for income-tax . (c) Any annuity due, or commuted value of any annuity paid, under the provisions of section 280D of the Income Tax Act during the accounting year.			See foot-note (1)

	(d) Capital expenditure (other than capital expenditure on scientific research which is allowed as a deduction under any law for the time being in force relating to direct taxes) and capital losses (other than losses on sale of capital assets on which depreciation has been allowed for income tax or agricultural income-tax.). (e) Losses of , or expenditure relating to, any business situated outside India. Total of Item No.3……..	Rs……..		See foot-note (1)
4.	Add also income, profits or gains (if any) credited directly to reserves, other than- (i) capital receipts and capital profits (including profits on the sale of capital assets on which depreciation has not been allowed for income-tax or agricultural income-tax); (ii) profits of, and receipts relating to, any business situated outside India; (iii) income of foreign concerns from investments outside India. Net total of Item No.4……..	Rs……..		
5.	Total of Item Nos. 1,2,3 and 4…	Rs……..		
6.	Deduct : (a) Capital receipts and capital profits (other than profits on the sale of assets on which depreciation has been allowed for income-tax or agricultural income-tax). (b) Profits of, and receipts relating to, any business situated outside India. (c) Income of foreign concerns from investment outside India. (d) Expenditure or losses (if any) debited directly to reserves, other than- (i) capital expenditure and capital losses (other than losses on sale of capital assets on which depreciation has not been allowed for income-tax ; or agricultural income-tax; (ii) losses of any business situated outside India. (e) In the case of foreign concerns proportionate administrative (overhead) expenses of head office allocable to Indian business.			See foot-note (2) See foot-note (2) See foot-note (2)

	(f) Refund of any direct tax paid for previous accounting years and excess provision, if any, of previous accounting years relating to bonus, depreciation, taxation or development rebate or development allowance, if written back. (g) Cash subsidy, if any, given by the government or by any body corporate established by any law for the time being in force or by any other agency through budgetary grants, whether given directly or through any agency for specified purposes and the proceeds of which are reserved for such purposes. Total of Item No.6			See foot-note (3) See-foot-note (2)
7.	Gross Profits for purposes of bonus (Item No.5 minus Item No.6)	Rs.....		

***Explanation*.—** In sub-item (aa) of Item 3, "approved gratuity fund" has the same meaning assigned to it in clause (5) of section 2 of the Income Tax Act, 1961.

Foot-note:-

(1) If, and to the extent, charged to Profit and Loss Account.

(2) If, and to the extent, credited to Profit and Loss Account.

In the proportion of Indian Gross Profit (Item No. 7) to Total World Gross Profit (as per consolidated Profit and Loss Account, adjusted as in Item No. 2 above only)

Appendix D

[See rule 26]

Item No.	Category of employer	Further sums to be deducted
(1)	(2)	(3)
1.	Company, other than a banking company.	(i) The dividends payable on its preference share capital for the accounting year calculated at the actual rate at which such dividends are payable; (ii) 8.5 percent of its paid up equity share capital as at the commencement of the accounting year; (iii) 6 percent of its reserves shown in its balance sheet as at the commencement of the accounting year, including any profits carried forward from the previous accounting year : Provided that where the employer is a foreign company within the meaning of section 2 (42) of the Companies Act ,2013 (18 of 2013) , the total amount to be deducted under this item shall be 8.5 percent on the aggregate of the value of the net fixed assets and the current assets of the company in India after deducting the amount of its current liabilities (other than any amount shown as payable by the company to its Head Office whether towards any advance made by the Head Office or otherwise or any interest paid by the company to its Head Office) in India.

2.	Banking company	(i) The dividends payable on its preference share capital for the accounting year calculated at the rate at which such dividends are payable ; (ii) 7.5 per cent of its paid up equity share capital as at the commencement of the accounting year ; (iii) 5 percent of its reserves shown in its balance sheet as at the commencement of the accounting year, including any profits carried forward from the previous accounting year; (iv) any sum which, in respect of the accounting year, is transferred by it- (a) to a reserve fund under sub-section (1) of section 17 of the Banking Regulation Act, 1949 (10 of 1949); or (b) to any reserves in India in pursuance of any direction or advice given by the Reserve Bank of India, whichever is higher: Provided that where the banking company is a foreign company within the meaning of section 2 (42) of the Companies Act , 2013 (18 of 2013), the amount to be deducted under this item shall be the aggregate of- (i) the dividends payable to its preference shareholders for the accounting year at the rate at which such dividends are payable on such amount as bears the same proportion to its total preference share capital as its total working funds in India bear to its total world working funds; (ii) 7.5 per cent of such amount as bears the same proportion to its total paid up equity share capital as its total working funds in India bear to its total working funds. (iii) 5 per cent of such amount as bears the same proportion to its total disclosed reserves as its total working funds in India bear to its total world working funds; (iv) any sum which, in respect of the accounting year, is deposited by it with the Reserve Bank of India under sub-clause (ii) of clause (b) of sub-section (2) of section 11 of the Banking Regulation Act, 1949 (10 of 1949) , not exceeding the amount required under the aforesaid provision to be so deposited.]
3.	Corporation	(i) 8.5 per cent of its paid up capital as at the commencement of the accounting year; (ii) 6 per cent of its reserves, if any, shown in its balance sheet as at the commencement of the accounting year, including any profits carried forward from the previous accounting year.
4.	Co-operative society	(i) 8.5 per cent of the capital invested by such society in its establishment as evidenced from its books of accounts at the commencement of the accounting year;
		(ii) such sums as has been carried forward in respect of the accounting year to a reserve fund under any law relating to co-operative societies for the time being in force.

5.	Any other employer not falling under any of the aforesaid categories	8.5 per cent of the capital invested in the establishment as evidenced from his books of accounts at the commencement of the accounting year: Provided that where such employer is a person to whom Chapter XXII-A of the income Tax Act applies , the annuity deposit payable under the provisions of that Chapter during the accounting year shall also be deducted: Provided further that where such employer is a firm, an amount equal to 25 per cent of the gross profits derived by it from the establishment in respect of the accounting year after deducting depreciation in accordance with the provisions of clause (a) of section 34 by way of remuneration to all the partners taking part in the conduct of business of the establishment shall also be deducted, but where the partnership agreement, whether oral or written, provides for the payment of remuneration to any such partner, and – (i) the total remuneration payable to all such partners is less than the said 25 per cent the amount payable, subject to a maximum of five lakh rupees to each such partner; or (ii) the total remuneration payable to all such partners is higher than the said 25 percent , such percentage, or a sum calculated at the rate of five lakh rupees to each such partner, whichever is less , shall be deducted under this proviso: Provided also that where such employer is an individual or a Hindu Undivided Family - (i) an amount equal to 25 per cent of the gross profits derived by such employer from the establishment in respect of the accounting year after deducting depreciation in accordance with the provisions of clause (a) of section 34; or (ii) five lakh rupees, whichever is less by way of remuneration to such employer, shall also be deducted.

***Explanation*.—** The expression "reserves" occurring in column (3) against Item Nos. 1(iii), 2(iii) and 3(ii) shall not include any amount set apart for the purpose of-

(i) payment of any direct tax which, according to the balance-sheet, would be payable;

(ii) meeting any depreciation admissible in accordance with the provisions of clause (a) of section 34;

(iii) payment of dividends which have been declared, but shall include,-

(a) any amount, over and above the amount referred to in clause-(i) of this Explanation, set apart as specific reserve for the purpose of payment of any direct tax; and

(b) any amount set apart for meeting any depreciation in excess of the amount admissible in accordance with the provisions of clause (a) of section 34.

[F. No. P-11023/03/2025-WC]

TEJASWI S. NAIK, Jt. Secy.

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ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಕುಸುಮ ಆರ್.ವಿ.)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-23

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 12 ಕೇನಿಪ್ರ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ:22.06.2026.

ದಿನಾಂಕ: 08.05.2026ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Social Security (Central) Rules, 2026ನ GSR 344(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರುಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF LABOUR AND EMPLOYMENT

NOTIFICATION

New Delhi, the 8th May, 2026

G.S.R. 344(E).—Whereas, the draft of the Social Security (Central) Rules, 2025 were published as required under sections 154, 155, 158 and 159 of the Code on Social Security, 2020 (36 of 2020) in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (i) *vide* notification number G.S.R. 935(E), dated the 30th December, 2025, inviting objections and suggestions from all persons likely to be affected thereby within a period of forty-five days from the date on which the Gazette containing the said notification were made available to the public;

And whereas, the notification was made available to the public on the 30th December, 2025;

And whereas, the objections and suggestions received from persons and stakeholders have been duly considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 154 read with sub-section (2) thereof, and sub-section (1) of section 155 read with sub-section (2) thereof and Section 158 and sub-section (1) read with sub-section (2) of section 159 of the Code on Social Security, 2020 (36 of 2020) and read with section 24 of the General Clauses Act, 1897(10 of 1897) in supersession of the-

(i) Employee's Compensation Rules, 1924;

(ii) Employee's Compensation (Transfer of Money) Rules, 1935;

(iii) Employees' State Insurance (Central) Rules, 1950;

(iv) Employment Exchanges (Compulsory Notification of Vacancies) Rules, 1960;

(v) Maternity Benefit (Mines and Circus) Rules, 1963;

(vi) Payment of Gratuity (Central) Rules, 1972;

(vii) Cine-Workers Welfare Fund Rules, 1984;

(viii) Employee's Compensation (Venue of Proceedings) Rules, 1996;

(ix) Tribunal (Procedure) Rules, 1997;

(x) Employees' Provident Funds Appellate Tribunal (Conditions of Service) Rules, 1997;

(xi) Building and other Constructions Workers' Welfare Cess Rules, 1998; and

(xii)Unorganised Workers' Social Security Rules, 2009;

except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:-

CHAPTER I

PRELIMINARY

1. Short title and commencement.– (1) These rules may be called the Social Security (Central) Rules, 2026.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions.– (1) In these rules, unless the context otherwise requires, —

(a) "agency" means any corporation, body or institution, established under an Act of Parliament or central public sector undertaking or special purpose vehicle as notified by the Central Government;

(b) "appeal" means an appeal preferred under the Code;

(c) "Appellate authority" means in Central sphere, the Central Government or the authority specified by the Central Government under sub-section (8) of section 56 or in State sphere, an officer, senior in rank to the Assessing Officer for the purposes of section 105, appointed by the State Government, as the case may be;

(d) "Assessing Officer" means a gazetted officer of a State Government or an officer of a local authority holding an equivalent post to a gazetted officer of the State Government appointed by such State Government for assessment of cess under Chapter VIII of the Code;

(e) "Authorised Officer for Employees' Compensation" means any officer whom the State Government may designate either generally or in respect of any area or class of areas, for the purpose of performing the functions assigned by these rules to the Authorised Officers;

(f) "authority" means the Central Government or the authority specified by the Central Government for the purpose of sub-section (3) of section 72;

(g) "average daily wages during a contribution period" under Chapter IV of the Code in respect of an employee, means the aggregate amount of wages payable to him during that period divided by the number of days for which such wages were payable;

(h) "average daily wages during a wage period" under Chapter IV of the Code means —

(i) in respect of an employee who is employed on time-rate basis, the amount of wage which would have been payable to him for the complete wage period had he worked on all the working days in that wage period, divided by 26 if he is monthly rated, 13 if he is fortnightly rated, 6 if he is weekly rated and 1 if he is daily rated;

(ii) in respect of an employee employed on any other basis, the amount of wages earned during the complete wage period in the contribution period divided by the number of days in full or part for which he has worked for wages in that wage period:

Provided that where an employee receives wages without working on any day during such wage period, he shall be deemed to have worked for 26, 13, 6 or 1 day or days if the wage period be a month, a fortnight, a week or a day respectively.

Explanation. — Where any night shift continues beyond midnight, the period of the night shift after midnight shall be counted for reckoning the day worked as part of the day preceding;

(i) "benefit period" means the period not exceeding six consecutive months corresponding to the contribution period, as specified in the regulations made under section 157;

(j) "career centre (central)" means that career centre as notified by the Central Government;

(k) "career centre (regional)", throughout India, except the Union territory of Chandigarh, means the career centre as notified by the respective State Government or the Administration of the Union territory as having jurisdiction –

(i) over the area in which the establishments concerned are situated; or

(ii) over specified classes or categories of establishments concerned or vacancies;

(l) "career centre (regional) in the Union territory of Chandigarh" means the career centre established either by the Union territory Administration of Chandigarh or by the State Government of Punjab or Haryana, as the case may be, notified by the respective States as having jurisdiction over specified classes or categories of establishments or vacancies:

Provided that the career centres established by the State Government of Punjab or Haryana shall not have jurisdiction over—

(i) the public sector offices or establishments other than those belonging to the respective States; and

(ii) private sector establishments;

(m) "cess collector" means an officer appointed by the State Government for collection of cess under Chapter VIII of the Code;

(n) "chairperson" means the chairperson of the Corporation, the Central Board, the National Social Security Board, the State Unorganised Workers' Social Security Board, the Standing Committee, the Medical Benefit Committee or the Executive Committee, as the case may be;

(o) "chartered engineer" means a person having an engineering degree and the corporate membership of the Institution of Engineers (India);

(p) "Code" means the Code on Social Security, 2020 (36 of 2020);

(q) "contribution period" means the period not exceeding six consecutive months, as specified in the regulations made under section 157;

(r) "electronically" means any information submitted by email or uploading on the designated Portal or digital payment in any mode for the purpose of the Code;

(s) "excluded vacancies" means those vacancies which have been excluded from the purview of the section 139 under the provisions of sub-sections (1) and (2) of section 140;

(t) "Form" means a form appended to these rules;

(u) "fund" means the Employees' State Insurance Fund referred to in section 25, the Provident Fund, the Pension Fund and the Employees' Deposit-Linked Insurance Fund referred to in section 16 or the Social Security Fund referred to in section 141, as the case may be;

(v) "Government Securities" means Government Securities as defined in the Government Securities Act, 2006 (38 of 2006);

(w) "immovable property" includes land, benefits to arise out of land, things attached to the earth, or permanently fastened to anything attached to the earth;

(x) "movable property" means property of every description except immovable property;

(y) "nodal officer" means a person designated by the Building Workers' Welfare Board or the State Government to facilitate the registration, renewal and updation electronically or otherwise or to perform any other function relating to building workers from the private sector, State Government, Central Government and public sector undertakings or local authority including supervising and monitoring the functions of the beneficiary registering officers designated by the appropriate Government;

(z) "nomination" means nomination made under section 55;

(za) "register of women employees" means a register of women employees maintained under rule 53;

(zb) "Schedule" means the Schedule to the Code;

(zc) "section" means a section of the Code;

(zd) "ShramSuvidha Portal" means the portal of the Ministry of Labour and Employment with such name;

(ze)"specified" means specified by an order of the Central Government or any State Government or any officer so authorised by such Government;

(zf) "standard benefit rate" means average daily wages obtained by dividing the total wages paid during the contribution period by the number of days for which these wages were paid;

(zg) "transferring authority" means any authority in any country which transfers or causes to be transferred any lump sum awarded under the law relating to employees compensation in such country and applicable for the benefit of any person residing or about to reside in India; and

(zh) "year" means the financial year, beginning from the 1st day of April and ending with the 31st day of March of the following year.

(2) The words and expressions used in these rules which are not defined therein, but are defined in the Code, shall have their respective meaning as assigned to them in the Code.

3. Manner and conditions of making the provisions of Chapter III or Chapter IV inapplicable to an establishment.– (1) The employer of an establishment to which the provisions of Chapter III or Chapter IV have been made applicable under sub-section (5) or sub-section (7) of section 1 of the Code, may apply electronically on the specified portal to the Central Provident Fund Commissioner or the Director General, as the case may be, for making such provisions inapplicable to the establishments, subject to the condition that the employer and the majority of the employees of that establishment agree in writing to such request.

(2) The Central Provident Fund Commissioner or the Director General, as the case may be, shall decide the application under sub-section (5) or sub-section (7) of section 1 of the Code within a period of sixty days from the date of receipt of the application:

Provided that if no decision is taken by the Central Provident Fund Commissioner or the Director General, as the case may be, within the period of sixty days from the date on which the application is made, the permission under sub-section (5) or sub-section (7) of section 1of the Code, as the case may be, shall be deemed to have been granted with effect from the date of completion of such sixty days:

Provided further that no such application shall be entertained if the provisions of Chapter III or Chapter IV have become applicable, in terms of sub-section (4) of section 1of the Code, to the establishment at any time subsequent to the notification under sub-section (5) or sub-section (7) of section 1 of the Code, as the case may be:

Provided also that no such application shall be made by the employer of the establishment before five years of such coverage under the provisions of Chapter III or Chapter IV, as the case may be:

Provided also that no such application shall be entertained unless the employer has furnished all returns, paid all dues under the Code and submitted a self-certification to that effect along with the application.

4. Income of dependent parents of employee.–For the purposes of sub-clause (e) of clause (33) of section 2 of the Code, the income from all sources, for the purposes of Chapter IV of the Code shall not exceed fourteen thousand rupees in a month or such amount as may be specified by notification.

5. Registration of establishments and cancellation thereof.–(1)(a) Every employer seeking registration for an establishment not already registered shall apply electronically in Form-I of the Occupational Safety, Health and Working Conditions (Central) Rules, 2026, on the Shram Suvidha Portal by furnishing details of the establishment and uploading documents related to registration of the establishment including proof of identity and address of the employers, as specified in the Form.

*Explanation***.-** For the purposes of this sub-rule, Form-I under the Occupational Safety, Health and Working Conditions (Central) Rules, 2026 shall be the common form for registration under these rules.

(b) The Form shall be signed digitally or in such other manner as may be required on the portal.

(c) The applicant shall be responsible for the veracity of all information submitted in the application.

(d) The Permanent Account Number (PAN) of the establishment allotted under Income Tax 2025 (30 of 2025) or any other unique number allotted to the establishment under any other law for the time being in force or any other particular furnished in the form, may be verified online.

(e) The certificate of registration shall be issued in Form-III of the Occupational Safety, Health and Working Conditions (Central) Rules, 2026 electronically, if the application is complete in all respects but not later than seven days from the date of submission of complete application, failing which such establishment shall be deemed to have been registered and the certificate of registration shall be auto-generated:

Provided that in exceptional circumstances, the Central Government may, by notification and for such period as may be specified therein, dispense with the requirement of electronic registration in respect of establishment or class of establishments, for the whole or any part of India, and submission of application in the Form-I of the Occupational Safety, Health and Working Conditions (Central) Rules, 2026 so provided, may be allowed.

(2) The authorised officer under the Code shall direct the employer who fails to comply with the requirements of sub-rule (1) to do so within the time stated therein and such employer shall thereupon comply with the instructions issued by that officer in this behalf.

(3) The employer in respect of an establishment already registered under any other central labour law for the time being in force shall, update the particulars of the employer or establishment on the Shram Suvidha Portal within such period as prescribed under the Occupational Safety, Health and Working Conditions Code, 2020.

(4) Any registration obtained by furnishing wrong information shall be liable to cancellation after the establishment has been given an opportunity to show cause within a period of thirty days from the date on which the notice is served on the concerned employer, electronically or otherwise, as to why the certificate of registration should not be cancelled.

(5) The employer shall quote the registration number on all documents prepared or submitted by him in connection with the Code or the schemes or the rules or the regulations, as the case may be, and in all correspondence with the offices concerned.

(6) Any change in the particulars furnished in the Form-Iof the Occupational Safety, Health and Working Conditions (Central) Rules, 2026 submitted on the specified portal shall be updated by the employer within thirty days of such change.

(7) The employer of an establishment to which the provisions of the Code apply and whose business activities are in the process of closure, may apply for cancellation of registration in the specified form online on the Shram Suvidha Portal after furnishing complete details and the status of the contribution and other dues payable under the Code.

(8) The application for cancellation of registration shall be allowed after the particulars in the application are verified in such manner as may be specified by the Central Government:

Provided that no such application for cancellation of registration shall be entertained unless the employer has furnished all returns, paid all dues under the Code and submitted a self-certification to that effect along with the application:

Provided further that such application for cancellation shall be decided within a period of ninety days from the date of receipt of the application complete in all respects.

(9) A copy of the certificate of registration shall be displayed at the conspicuous places in the premises where the work is being carried out.

CHAPTER II

SOCIAL SECURITY ORGANISATIONS

A. CENTRAL BOARD, EMPLOYEES' PROVIDENT FUND

6. Administration of funds vested in Central Board.–(1) The Central Board shall administer the funds vested in it in accordance with the guidelines issued by the Central Government.

(2) The Central Board for the efficient administration of the schemes may open as many accounts as it may consider necessary or as specified in the schemes.

(3) All moneys belonging to the funds shall be deposited in the Reserve Bank of India or the State Bank of India or in such other Scheduled Banks as may be approved by the Central Government from time to time or shall be invested as the Central Government may, by notification in the Official Gazette, Specify.

(4) All expenses incurred in respect of, and loss, if any, arising from any investment shall be charged to the funds.

(5) The funds, not including therein the administration account, shall not be expended for any purpose other than the payment of the sums standing to the credit of individual members of the funds or to their nominees or heirs or legal representatives in accordance with the provisions of respective schemes.

(6) The funds shall be operated upon by such officers as may be authorised in this behalf by the Central Board.

7. Executive Committee. – (1)The Central Board shall perform such functions as may be assigned to it by the Central Government under section 13 and administer the Schemes framed under section 15.

(2) The Executive Committee shall consist of the following members, namely: -

i. a Chairperson to be appointed by the Central Government from amongst the members of the Central Board;
ii. two persons appointed by the Central Government from amongst the persons referred to in clause (b) of sub-section (1) of section 4;
iii. three persons appointed by the Central Government from amongst the persons referred to in clause (c) of sub-section (1) of section 4;
iv. three persons representing the employers elected by the Central Board from amongst the persons referred to in clause (d) of sub-section (1) of section 4;
v. three persons representing the employees elected by the Central Board from amongst the persons referred to in clause (e) of sub-section (1) of section 4; and
vi. the Central Provident Fund Commissioner, *ex officio*.

(3) (a) The Chairperson of the Central Board shall call a meeting of the Board for the purpose of election to the Executive Committee of the members representing the employers or, as the case may be, the employees referred to in sub-clauses (iv) and (v) of sub-rule (2).

(b) The Chairperson of the Central Board may invite the members to propose the names of those members who represent the employers or, as the case may be, the employees and every such proposal shall be duly seconded by another member of the Board.

(c) In case where the number of persons proposed and seconded for election under clause (a) does not exceed the number of vacancies to be filled up from amongst the persons representing the employers, or, as the case may be, the employees, the persons whose names have been so proposed and seconded in relation to the category of employers or employees, shall be declared elected to the Executive Committee.

(d) In case where the number of persons proposed and seconded for election under clause (a) exceeds the number of vacancies to be filled up from amongst the persons representing the employers or, as the case may be, the employees, each member of the Board present at the meeting, other than the Chairperson, shall be given a ballot paper containing the names of all the candidates so proposed and seconded and he may record his votes thereon for as many candidates belonging to the categories of employers or employees, as there are vacancies to be filled up in relation to each such category, but not more than one vote shall be given in favour of any one candidate.

(e) In case where any member votes for more candidates than the number of vacancies in relation to the categories of employers or employees or gives more than one vote in favour of any one candidate, all his votes shall be deemed to be invalid.

(f) The persons getting the highest number of votes shall be declared by the Chairperson as duly elected to the Executive Committee at the same meeting or as soon thereafter as possible:

Provided that where there is an equality of votes between candidates, the Chairperson shall have a casting vote.

(g) In case where any question arises as to the validity of any election, it shall be referred to the Central Government, which shall decide the same.

(4) The Central Board may, by order, constitute one or more committees consisting of as many trustees and officers of the Employees' Provident Fund Organisation, as may be specified in the order:

Provided that the Central Board may also include such persons, who in its opinion, have special knowledge of the subject matter relating to the committee.

(5) The Executive Committee shall function under the general superintendence of the Central Board and assist the Central Board in performance of its functions and shall perform such functions as may be assigned to it by the Central Board.

(6) (a) The term of office of the Chairperson, Vice-Chairperson and every trustee of the Central Board referred to in clauses (b), (c), (d) and (e) of sub-section (1) of section 4 shall be four years commencing on and from the date on which their respective appointment is notified in the Official Gazette.

(b) The term of office of the Chairperson and every member of the Executive Committee shall be two years, commencing on and from the date on which their respective appointment is notified.

(c) Notwithstanding anything contained in clauses (a) and (b), every trustee or member of the Central Board or Executive Committee, as the case may be, shall continue to hold office until the appointment of his successor is notified in the Official Gazette:

Provided that a member of the Executive Committee shall cease to hold office when he ceases to be a member of the Central Board.

(d) A trustee or a member referred to in clauses (a) and (b) appointed to fill a casual vacancy shall hold office for the remaining period of the term of office of the trustee or member in whose place he is appointed and shall continue to hold office on the expiry of the term of office until the appointment of his successor is notified in the Official Gazette.

(e) A person shall be eligible for appointment as a trustee or a member for a maximum of two terms:

Provided that such limitation of terms shall not apply to the Chairperson, Vice-Chairperson, and a trustee or member appointed *ex officio* and such appointment shall be co-terminus with the tenure of the office of the trustee or member, as the case may be:

Provided further that the maximum of two terms shall also include the number of terms for which a person has been appointed as a trustee of the Central Board under clause (d) or clause (e) of sub-section (1) of section 5A of the erstwhile Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952).

(7) (a) The Central Provident Fund Commissioner shall be the Secretary to the Central Board and also to the Executive Committee.

(b) The Secretary to the Central Board and the Executive Committee shall, in consultation with the Chairperson of the Central Board or the Executive Committee, as the case may be, convene meetings of the Central Board or the Executive Committee, keep a record of their minutes and shall take necessary steps for carrying out the decisions of the Central Board or the Executive Committee, as the case may be.

B. EMPLOYEES' STATE INSURANCE CORPORATION

8. The Employees' State Insurance Corporation, Standing Committee and Medical Benefit Committee.–(1) Every person representing each of the States shall be appointed as a member of the Corporation, on nomination by the State Government concerned.

(2) (a) The common seal of the Corporation shall remain in the custody of the Director General of the Corporation and shall not be affixed to any instrument except in the presence of the Director General or two members of the Standing Committee constituted under sub-rule (3) and the Director General or the said two members shall sign the contract in token of the fact that the same was sealed in his or their presence.

(b) The Corporation shall have for use at each of its other offices, as it may specify, an official seal which shall be a facsimile of the common seal of the Corporation with the addition of the name of the office where it is to be used.

(c) The official seal shall not be affixed to any instrument except in the presence of such person or persons as the Standing Committee may authorise in this behalf and such person or persons shall sign the instrument in token of the fact that the same was sealed in his or their presence.

(d) An instrument to which an official seal is duly affixed shall bind the Corporation as if it had been sealed with the common seal of the Corporation.

(3) A Standing Committee of the Corporation shall be constituted from amongst its members, consisting of —

(a) a Chairperson appointed by the Central Government;

(b) three members of the Corporation, appointed by the Central Government;

(c) three members of the Corporation representing such three State Governments thereon as the Central Government shall specify from time to time;

(d) eight members elected by the Corporation as follows, namely: —

(i) three members from among the members of the Corporation representing employers;

(ii) three members from among the members of the Corporation representing employees;

(iii) one member from among the members of the Corporation representing the medical profession; and

(iv) one member from among the members of the Corporation elected by Parliament; and

(e) the Director-General of the Corporation, *ex officio*.

(4) (a) The Chairperson of the Corporation shall, at a meeting of the Corporation at which it is proposed to elect members of the Standing Committee under clause (d) of sub-rule (3), invite members to propose names from among members of the Corporation belonging to the group from which election is to be held and the names proposed shall be duly seconded by another member of the Corporation.

(b) If the number proposed from any group for election does not exceed the number of vacancies to be filled therefrom, the persons whose names have been so proposed shall be declared elected to the Standing Committee.

(c) If the number proposed from a group for election exceeds the number of vacancies to be filled there from, each member of the Corporation present at the meeting shall be given a secret ballot paper containing the names of all the candidates proposed and he shall be required to vote thereon for as many candidates from the group as there are vacancies to be filled up, with one vote in favour of any

one candidate and if any member votes for more candidates than there are vacancies in the group or gives more than one vote in favour of any one candidate, all his votes shall be deemed to be invalid.

(d) The persons getting the highest number of votes shall be declared by the Chairperson at the meeting or as soon thereafter as possible as duly elected to the Standing Committee:

Provided that where an equality of votes is found to exist between any candidates and the addition of one vote will entitle any of the candidates to be declared to be elected, the determination of the person or persons to whom such one additional vote shall be deemed to have been given shall be made by lot to be drawn in the presence of the Chairperson and in such manner as he may determine.

(e) If any question arises as to the validity of any election, it shall be referred to the Central Government whose decision in the matter shall be final.

(5) The powers and duties of the Medical Benefit Committee shall be–

(a) to advise the Corporation in regard to the constitution, setting up, duties and powers of local committees constituted for the purpose of assisting in the administration of medical benefit;

(b) to make recommendations to the Corporation in regard to —

(i) the scale and nature of medical benefit provided at hospitals, dispensaries, clinics and other institutions and the nature and the extent of the medicines, staff and equipment which shall be maintained at such institutions and the extent to which these fall short of the desired standard;
(ii) the medical formulary for use in connection with the medical benefit provided under the Code;
(iii) medical certification for the purposes of the grant of benefits, including the procedure and the forms for such certification, statistical returns, registers and other medical records; and
(iv) measures undertaken for the improvement of the health and welfare of Insured Persons, and the rehabilitation and re-employment of Insured Persons, disabled or injured;

(c) to advise the Corporation on any matter relating to the professional conduct of any medical practitioner employed for the purpose of providing medical benefit under the Code.

(6) (a) Save as otherwise expressly provided in the Code, the terms of office of members of the Corporation, other than the members referred to in clauses (a), (b), (c), (d) and (e) of sub-section (1) of section 5 and the *ex officio* member, shall be for four years commencing from the date respectively on which their appointment or election is notified:

Provided that a member of the Corporation shall notwithstanding the expiry of the said period of four years, continue to hold office until the appointment or election of his successor is notified:

Provided further that the tenure of non-official members of the Corporation shall not be for more than a total of two terms.

(b) The members of the Corporation referred to in clauses (a), (b), (c), (d) and (e) of sub-section (1) of section 5 shall hold office during the pleasure of the Central Government.

(7) (a) Save as otherwise expressly provided in the Code, the terms of office of a member of the Standing Committee, other than a member referred to in clause (a) or clause (b) or clause (c) of sub-rule (3), shall be two years from the date on which his election is notified:

Provided that a member of the Standing Committee shall, notwithstanding the expiry of the said period of two years, continue to hold office until the election of his successor is notified:

Provided further that a member of the Standing Committee shall cease to hold office when he ceases to be a member of the Corporation.

(b) A member of the Standing Committee referred to in clause (a) or clause (b) or clause (c) of sub-rule (3) shall hold office during the pleasure of the Central Government.

(8) The Standing Committee shall be responsible for administering the affairs of the Corporation and may exercise any of the powers and perform any of the functions of the Corporation as provided under the rules and regulations made under the Code.

C. NATIONAL SOCIAL SECURITY BOARD

9. National Social Security Board.–(1)(a) A member of the National Social Security Board other than an ex officio member thereof, shall hold office for a period not exceeding three years from the date of his nomination and shall be eligible for re-nomination:

Provided that a member, other than an *ex officio* member, shall not hold the office for more than total of two terms.

(b) The Central Government shall seek nominations from amongst the representatives of associations of unorganised sector workers and employers' associations of unorganised sector, in the National Social Security Board in the category of sub-clauses (i) and (ii) of clause (c) of sub-section (2) of section 6 in such manner as it may determine.

(c) The Central Government shall nominate seven persons under sub-clause (iii) of clause (c) of sub-section (2) of section 6 from amongst persons of eminence in the fields of labour welfare, management, finance, law and administration.

(d) The Central Government shall seek nominations of two Lok Sabha members from the Speaker of the Lok Sabha and one member from the Chairman of the Rajya Sabha under sub-clause (iv) of clause (c) of sub-section (2) of section 6, as the case may be.

(e) The Central Government shall nominate ten members under sub-clause (v) of clause (c) of sub-section (2) of section 6 representing Ministries or Departments of the Central Government, concerned with the matters related to the welfare of the unorganised sector workers.

(f) The Central Government shall nominate five members representing the State Governments under sub-clause (vi) of clause (c) of sub-section (2) of section 6, and one member representing Union territories under sub-clause (vii) of clause (c) of sub-section (2) of section 6 on rotation basis in such manner, as it may determine.

(g) A member nominated under sub-clauses (i), (ii) and (iii) of clause (c) of sub-section (2) of section 6, shall cease to be a member of the National Social Security Board, if he ceases to represent the category of interest from which he was so nominated:

Provided that out of seven persons nominated under said sub-clause (i), one member each from the Scheduled Caste, the Scheduled Tribe, the minorities and women shall be represented.

(h) A member nominated under sub-clause (iv) of clause (c) of sub-section (2) of section 6 shall cease to be a member of the National Social Security Board, if he ceases to be a member of the House of Parliament by which he was so elected.

(i) No person shall be chosen as, or continue to be, a member of the National Social Security Board if such person attracts any provision of section 8.

(2) (a) The National Social Security Board for Unorganised Workers constituted under section 6 shall be the Board referred to in sub-section (6) of section 114, for the gig and platform workers.

(b) A member of the National Social Security Board, other than an *ex officio* member thereof, shall hold office for a period not exceeding three years from the date of his nomination and shall be eligible for re-nomination:

Provided that a member, other than an *ex officio* member, shall not hold the office for more than total of two terms.

(c) The Central Government shall nominate five members under clause (a) of sub-section (6) of section 114, as representative of aggregators on rotation basis from amongst the types of the aggregators mentioned in the Seventh Schedule.

(d) The Central Government shall nominate five members under clause (b) of sub-section (6) of section 114 from amongst the gig workers and platform workers, on rotation basis, representing the different types of gig workers and platform workers.

(e)The Central Government shall nominate five members as experts from amongst persons of eminence in the field of labour welfare, management, finance, law, administration, e-commerce or information technology under clause (e) of sub-section (6) of section 114.

(f) In the discharge of functions of the National Social Security Board for the purpose of the welfare of gig workers and platform workers, the quorum for transaction of business at any of the meeting shall be six members.

(g) The National Social Security Board may constitute an expert committee to advise it on matters related to the welfare of gig workers and platform workers, assessment of number of gig workers and platform workers, identifying the new types of aggregators or any other matter related to gig workers and platform workers.

(3) (a) The National Social Security Board, for discharging its functions as assigned to it, under sub-section (7) of section 6, may constitute a committee to deliberate and recommend on the specific issues as may be assigned to such committee;

(b) Such committee may co-opt members from such Board or outside, as the case may be, from the fields of the experts, on which the committee is required to deliberate.

(4) (a) The Central Government shall initiate the process for reconstitution of the National Social Security Board, prior to six months of expiry of the term of the Board.

(b) If the new Board is not re-constituted after completion of the term of the National Social Security Board, such arrangements may be made for discharging the functions of the Board as may be decided by the Central Government for the period till the new Board is constituted, through a notification.

(c) Consequent upon institution of arrangement referred to in clause (b), all actions taken shall have the same effect as if it has been carried out by the Board itself.

(5) (a) A member of the National Social Security Board, not being an *ex officio* member, may resign by a letter in writing addressed to the Central Government.

(b) The seat of such a member shall fall vacant from the date on which his resignation is accepted or on the expiry of thirty days from the date of receipt of intimation of resignation, whichever is earlier.

(c) The power to accept the resignation of such a member shall vest with the Central Government.

(6)If such a member changes his address, he shall notify his new address to the Member-Secretary of the Board who shall thereupon enter his new address in the official records:

Provided that if a member fails to notify his new address, the address in the official records shall for all purposes be deemed to be the member's correct address.

(7) When a vacancy occurs or is likely to occur in the membership of the National Social Security Board, Member-Secretary of the Board shall submit a report to the Central Government and on receipt of such report, the Central Government may, by notification, nominate a person to fill the vacancy in the manner specified under sub-rules (1) and (2) of rule 9, and the person so nominated shall hold office for the remainder of the term of office of the member in whose place he is nominated.

(8) (a) During the pendency of the proceeding, if any, under clauses (b) and (c) of sub-section (2) of section 8, for removal of a member of the National Social Security Board for Unorganised Workers, such member shall abstain from the meetings of the Board;

(b) the decision of the Central Government, on the debarment, dis-qualification and removal of any member under section 8, shall be final.

10. Other welfare measures and facilities.– If, in the opinion of the Central Government, it is necessary, for the improvement of well-being of the building workers, to formulate a new welfare scheme or schemes in a State, Building Workers Welfare Board shall make provisions for such other welfare measures and facilities as may be prescribed by the Central Government.

D. **GENERAL**

11. Meetings, notice of meetings, list of business and quorum.–(1) (a) The Central Board or the Corporation or the National Social Security Board or the State Building Workers' Welfare Board or any Committee thereof shall, subject to sub-rule (2), meet at such place and time as may be decided by its Chairperson.

(b) The Central Board or the Corporation shall meet at least twice in a year.

(c) The Executive Committee of the Central Board and the Standing Committee of the Corporation shall meet at least four times in a year and the Medical Benefit Committee of the Corporation shall meet at least twice in a year.

(d) The National Social Security Board or the State Building Workers' Welfare Board shall meet at least thrice in a year.

(e) The Chairperson of the Central Board or the Corporation or the National Social Security Board or the State Building Workers' Welfare Board or any committee thereof may whenever he thinks fit, and shall within fifteen days of the receipt of a requisition in writing from not less than one half of the members of the body concerned call for a special meeting thereof and a requisition so made shall specify the object of the meeting proposed to be called.

(2) (a) A notice of not less than fifteen days from the date of issue, containing the date, time and place of every ordinary meeting of Central Board or Corporation or National Social Security Board or the State Building Workers' Welfare Board or any committee thereof, together with a list of business proposed to be transacted and approved by the Chairperson concerned shall be sent to every trustee or member of Central Board or Corporation or National Social Security Board or the State Building

Workers' Welfare Board or any Committee thereof, as the case may be, through e-mail or speed post (with registration) or by special messenger, and a brief note on each item of the agenda shall be sent along with the agenda as soon thereafter as possible.

(b) When the Chairperson concerned calls an emergency meeting of the Central Board or Corporation or National Social Security Board or the State Building Workers' Welfare Board or any committee thereof, as the case may be, for considering any matter which in his opinion is urgent, a notice giving such reasonable time as he may consider necessary shall be deemed sufficient and shall be sent to every trustee or member of Central Board or Corporation or National Social Security Board or the State Building Workers' Welfare Board or any Committee thereof, as the case may be, through e-mail or speed post (with registration) or by special messenger.

(c) No business other than for which the meeting of Central Board or Corporation or National Social Security Board or the State Building Workers' Welfare Board or any Committee thereof has been convened shall be considered at the meeting except with the permission of the Chairperson of the meeting.

(3) The Chairperson or in his absence the Vice-Chairperson of Central Board or Corporation or National Social Security Board or the State Building Workers' Welfare Board, as the case may be, shall preside over the meeting and in the event of absence of both the Chairperson and the Vice-Chairperson, the meeting shall be presided over by such trustee or member as may be nominated by the Chairperson.

(4) No business shall be transacted at any meeting of Central Board or Corporation or National Social Security Board or the State Building Workers' Welfare Board or any committee thereof unless a quorum of –

(a) eleven trustees in case of Central Board and four members in case of Executive Committee thereof; or

(b) fifteen members in case of Corporation, five members in case of Standing Committee and seven members in case of Medical Benefit Committee thereof; or

(c) ten members in case of National Social Security Board for Unorganised Workers and six members in case of National Social Security Board for Gig Workers and Platform Workers; or

(d) four members in case of the State Building Workers' Welfare Board;

is present:

Provided that if at any meeting, no sufficient number of trustees or members, as the case may be, are present to form quorum, the Chairperson of the meeting shall adjourn the meeting for an hour and it shall thereupon be lawful to dispose of the business at such adjourned meeting irrespective of the number of trustees or members attending.

(5) (a) If a trustee or member is unable to attend any meeting of the Central Board or Corporation or National Social Security Board or the State Building Workers' Welfare Board or any committee thereof, as the case may be, he may, by a written instrument, signed by him, addressed to the Chairperson of the concerned body and explaining the reasons for his inability to attend the meeting, appoint any representative of the organisation, which he represents on the Central Board or Corporation or National Social Security Board or the State Building Workers' Welfare Board or any committee thereof, as his substitute for attending that meeting of the Central Board or Corporation or

National Social Security Board or the State Building Workers' Welfare Board or any committee thereof in his place:

Provided that no such appointment shall be valid unless—

(i) such appointment has been approved by the Chairperson of the body concerned; and
(ii) the instrument making such appointment has been received by the Chairperson of the body concerned before the date fixed for the meeting.

(b) A substitute validly appointed under clause (a) shall have all the rights and powers of the member to whom he represents in relation to the meeting of the body concerned, in respect of which he is appointed and shall receive allowances, and be under obligations as if he were a trustee or the member appointed under the Code.

(c) A trustee or the member appointing a substitute for attending any meeting of the Central Board or Corporation or National Social Security Board or the State Building Workers' Welfare Board or any committee thereof under clause (a), shall, notwithstanding anything contained in this sub-rule, continue to be liable for the misappropriation or misapplication of the fund by the substitute and shall also be liable for any act of misfeasance or non-feasance committed in relation to the fund by the substitute appointed by him.

(6) Every question considered at a meeting of the Central Board or Corporation or National Social Security Board or the State Building Workers' Welfare Board or any Committee thereof shall be decided by a majority of the votes of the trustees or members of the body concerned present and voting and in the event of an equality of votes the Chairperson shall exercise an additional casting vote:

Provided that the Chairperson may, if he thinks fit, direct that any question shall be decided by the circulation of necessary papers to the trustees or members of the Central Board or Corporation or National Social Security Board or the State Building Workers' Welfare Board or any committee thereof and by securing their opinions in writing; and any such question shall be decided in accordance with the opinion of the majority of the trustees or members received within the time-limit allowed and if the opinions are equally divided, the opinion of the Chairperson shall prevail:

Provided further that any trustee or member of the Central Board or Corporation or National Social Security Board or the State Building Workers' Welfare Board or any committee thereof may request that the question referred to the trustees or members of the concerned body, as the case may be, for written opinion be considered at a meeting of the Central Board or Corporation or National Social Security Board or the State Building Workers' Welfare Board or any committee thereof and thereupon the Chairperson may, and if the request is made by not less than three trustees or members of the concerned body, shall direct that it be so considered.

(7) (a) The minutes of each meeting showing *inter-alia* the names of the members present there, shall be forwarded to each trustee or member of the Central Board or the Corporation or the National Social Security Board or any committee thereof, as the case may be, and to the Central Government and in the case of the State Building Workers' Welfare Board, the minutes shall be forwarded to each member or any committee thereof, as the case may be, and to the State Government concerned, as soon as possible and in any case not later than four weeks after the meeting.

(b) The records of the minutes of each meeting of the Central Board and the Executive Committee thereof shall be signed by the Central Provident Fund Commissioner with the approval of the Chairperson.

(c) The minutes of the meeting shall be confirmed with such modification considered necessary at the next meeting.

(d) The minutes of a meeting of the Central Board or the Corporation or the National Social Security Board or any committee thereof shall be kept in separate Books (hereinafter referred to as minute-books) and shall be signed by the Chairperson of the meeting at which the proceedings are confirmed.

(e) A copy of the minutes so confirmed shall be forwarded to the Central Government within fifteen days from the date of such confirmation:

Provided that in the case of State Building Workers' Welfare Board, a copy of the minutes so confirmed shall be forwarded to the State Government concerned within fifteen days from the date of such confirmation.

(f) The minute-books shall be kept open at the principal office of the Central Board or Corporation or National Social Security Board during office hours on working days for inspection free of charge by any of the respective member.

(8) (a) Every non-official trustee or member of the Central Board or the Corporation or the National Social Security Board or any committee thereof, as the case may be, shall be allowed travelling and daily allowance for attending its meetings at the rates admissible to officers of the Central Government holding a post in Level11 in the pay matrix.

(b) Where such trustee or member, is a Member of Parliament or a Member of State Legislature, he shall be paid travelling allowance and daily allowance in accordance with the provisions of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (30 of 1954) or the respective provisions of the law pertaining to the members of the concerned State Legislature, as the case may be:

Provided that when a Minister is appointed as Chairperson or trustee or member of the Central Board or the Corporation or the National Social Security Board or any committee thereof and attends a meeting, his travelling and daily allowance shall be governed by the rules applicable to him for journeys performed on official duties and shall be paid by the authority paying his salary.

(c) No daily or travelling allowance, as the case may be, in respect of any day of journey shall be claimed by a trustee or member of the Central Board or the Corporation or the National Social Security Board or any committee thereof, if he has drawn or will draw allowance for the same from his employer or as a member of the committee or any legislature or of any committee or conference constituted or convened by Government and no travelling allowance shall be claimed, if he uses a means of transport provided at the expense of Government or his employer.

(d) The daily and travelling allowance shall also be payable to a member in respect of the meetings of any sub-committee set up by the Central Board or the Corporation or the National Social Security Board or by any Committee thereof, attended by him.

(e) For attending a meeting of the Central Board or the Corporation or the National Social Security Board or any committee thereof or meetings of a sub-committee set up by the Central Board or Corporation or National Social Security Board or any Committee thereof, an official trustee or member of the Central Government shall draw his travelling allowance from his department on a scale admissible to him under the Central Government rules and the amounts so drawn shall, on a demand being made therefor by the Central Government, be reimbursed by the Central Board or Corporation or National Social Security Board or Committee thereof to that Government.

(f) Payments shall not be made to a non-official member earlier than the last date up to which the allowance is claimed and the travelling allowance for both the onward and return journeys will be included in the travelling allowance bill and the payment made therefor treated as final, irrespective of the date of completion of the journey.

12. Reconstitution of Corporation, Central Board, National Social Security Board, State Unorganised Workers' Board, Building Workers' Welfare Board or any of the Committees.– When the Central Board or the Corporation or the National Social Security Board for Unorganised Workers or the State Unorganised Workers' Social Security Board or the State Building and Other Construction Workers' Welfare Board has been superseded under the provisions of section 11, the Central Government or the State Government, as the case may be, shall —

(a) appoint or cause to be appointed or elected new trustees or members to the Central Board or the Corporation or the National Social Security Board for Unorganised Workers or the State Unorganised Workers' Social Security Board or the State Building and Other Construction Workers' Welfare Board in accordance with section 4 or section 5 or section 6 read with proviso to sub-section (6) of section 114 or section 7, as the case may be; and

(b) in its discretion, make such arrangement for such period as it may think fit, to exercise the powers and perform the functions of the Central Board or the Corporation or the National Social Security Board for Unorganised Workers or the State Unorganised Workers' Social Security Board or the State Building and Other Construction Workers' Welfare Board.

CHAPTER III

EMPLOYEES' PROVIDENT FUND

13. Form, manner, time limits and fees for filing of appeal.–(1) The language of the Tribunal shall be English:

Provided that the parties to the proceedings before the Tribunal may file documents drawn up in Hindi, if they so desire:

Provided further that –

(i) the Tribunal may, in its discretion permit the use of Hindi in the proceedings, but the final order shall be in English;

(ii) the Tribunal hearing the matter, may in its discretion, direct English translation of pleadings and documents to be filed.

(2) (a) An appeal to the Tribunal shall be presented in Form-I by the appellant in person or by an agent or by a duly authorised legal practitioner to the registry or any other officer authorised in writing by the Registrar of the Tribunal to receive the same or be sent by speed post (with registration) with acknowledgement due duly addressed to the Registrar.

(b) The appeal under clause (a) shall be presented electronically or in triplicate in a paper-book form along with one unused file size envelope bearing full address of the respondent:

Provided that where the number of respondents is more than one, as many extra copies of the appeal in paper-book form as there are respondents together with unused file size envelopes bearing the full address of each respondent or electronically shall be furnished by the Appellant:

Provided also that where the number of respondents is more than five, the Registrar may permit the appellant to file the extra copies of the appeal at the time of issue of notice to the respondents.

(c) The Registrar shall cause to be issued an acknowledgement of receipt of the appeal electronically or otherwise in Form-II.

(3) (a) The Registrar, or the officer authorised by him under sub-rule (2), shall endorse on every appeal the date on which it is presented or deemed to have been presented under that rule and shall sign the endorsement digitally or otherwise.

(b) If, on scrutiny, the appeal is found to be in order, it shall be duly registered and given a serial number.

(c) If the appeal, on scrutiny, is found to be defective and the defect noticed is formal in nature, the Registrar may allow the party to rectify the same in his presence, and if the defect is not formal in nature, the Registrar shall give instruction to the appellant by speed post (with registration) or electronic mail, to remove the defects within a period of fifteen days from the date of the receipt of such intimation.

(d) If the appellant fails to rectify the defect within the specified time under clause (c), the Registrar may by order and for reasons to be recorded in writing, decline to register the appeal and inform the appellant accordingly.

(4) The appeal shall ordinarily be filed by the appellant with the Registrar of such Tribunal within whose jurisdiction —

(i) the cause of action has arisen, or

(ii) office of the respondent against whose order relief is sought, is located.

(5) (a) Every appeal filed with the Registrar shall be accompanied by a fee of rupees two thousand to be remitted by electronic transfer or in the form of crossed demand draft on a scheduled commercial bank in favour of the Registrar and payable at the main branch of that Bank at the station where the seat of the said Tribunal is situated.

(b) Any person aggrieved by an order passed under section 125 or section 128 may within a period of sixty days from the date of issue of the order, prefer an appeal to the Tribunal:

Provided that the Tribunal may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within sixty days, extend the said period by a further period of sixty days:

Provided further that no appeal by the employer shall be entertained by the Tribunal unless he has deposited with the respective Fund constituted under section 16, by way of electronic transfer or demand draft, a sum equal to twenty-five per cent of the amount due from him as determined under section 125.

(6) Every appeal filed under sub-rule (2) shall set forth concisely under distinct heads the grounds for such appeal and such grounds shall be numbered consecutively; and the appeal, including any miscellaneous petition shall be filed electronically or typed in double space on both sides on thick paper of good quality.

(7) (a) Every appeal being filed electronically or otherwise shall be accompanied by a paper-book containing —

(i) a copy of the order against which the appeal is filed;

(ii) copies of the documents relied upon by the appellant and referred to in the appeal; and

(iii) an index of the documents.

(b) The documents referred to in clause (a) may be digitally signed or attested by a legal practitioner or by a gazetted officer and each document shall be marked serially as Annexures A-1, A-2, A-3 and so on.

(c) Where an appeal is filed by an agent, document authorising him to act as such agent shall also be appended to the appeal:

Provided that where an appeal is filed by a legal practitioner, it shall be accompanied by a duly executed 'Vakalatnama' in digital format or otherwise.

(8) An appeal shall be based upon a single cause of action and may seek one or more reliefs provided that they are consequential to one another.

(9) (a) Notices and processes to be issued by the Tribunal may be served electronically or by any of the following modes as directed by the Tribunal, namely:–

(i) service by the party itself; or

(ii) by hand delivery (Dasti) through process server; or

(iii) by speed post (with registration) with acknowledgement due.

(b) Where notice issued by the Tribunal is served by the party himself electronically or by 'Hand delivery' (Dasti), he shall file with the registry of the Tribunal, the acknowledgement, together with an affidavit of service.

(c) Notwithstanding anything contained in clause (a), the Tribunal may, taking into account the number of respondents and their places of residence or work and other circumstances, direct that notice of the appeal shall be served upon the respondents electronically or in any other manner including any manner of substituted service, as it appears to the Tribunal just and convenient.

(d) Notwithstanding anything done under clause (a), the Tribunal may, in its discretion, having regard to the nature and urgency of the case, direct the service of the notice on the Standing Counsels appointed as such by the Central Government or any State Government or any other authority under the Code, as the case may be.

(e) Every notice issued by the Tribunal shall, unless otherwise ordered, be accompanied by a copy of the appeal along with a copy of the paper-book.

(f) Every appellant shall pay a fee for the service or execution of process in such manner as the Tribunal may direct under clause (c), such a sum, not exceeding the actual charges incurred in effecting the service, as may be determined by the Tribunal.

(g) The fee for the service or execution of processes under clause (c) shall be remitted in the manner specified in sub-rule (5) within one week of the date of the order of the Registrar determining the fee or within such extended time as he may permit.

(h) Notwithstanding anything contained in clauses (a) to (d), if the Tribunal is satisfied that it is not reasonably practicable to serve notice of appeal upon all the respondents, it may, for reasons to be recorded in writing, direct that the appeal shall be heard notwithstanding that some of the respondents have not been served with notice of the application:

Provided that no appeal shall be heard unless -

(i) notice of appeal has been served on the Central Government or the State Government or the Central Board if such Government or Board is a respondent;

(ii) notice of appeal has been served on the authority which passed the order against which the appeal has been filed; and

(iii) the Tribunal is satisfied that the interests of the respondents on whom notice of the appeal has not been served are adequately and sufficiently represented by the respondents on whom notice of the appeal has been served.

(10)(a) Any person intending to contest the appeal, shall file electronically or in triplicate the reply to the appeal and the documents relied upon in paper-book form with the registry of the Tribunal within a period of thirty days of the service of notice of the appeal on him.

(b) In the reply filed under clause (a), the respondent shall specifically, admit, deny or explain the facts stated by the appellant in his appeal and may also state such additional facts as may be found necessary for the just decision of the case and it shall be signed digitally or otherwise and verified as a written statement by the respondent or any other person duly authorised by him in writing in the same manner as provided for in order VI, rule 15 of the Code of Civil Procedure, 1908 (5 of 1908).

(c) The reply referred to in clause (b) shall be filed along with the documents and the same shall be marked as R-1, R-2, R-3 and so on.

(d) The respondent shall also serve a copy of the reply along with documents as mentioned in clause (c) on the appellant or his legal practitioner, if any, electronically or otherwise and file proof of such service in the registry of the Tribunal.

(e) Where the respondent fails to file the reply within the said period of thirty days, he shall be allowed to file the reply on such other day, as may be specified by the Tribunal, for reasons to be recorded in writing and on the payment of such costs as the Tribunal deems fit, but which shall not be later than sixty days from the date of the service of notice on the respondent for such purpose.

(11) The Tribunal shall notify to the parties the date and the place of hearing of the appeal electronically or otherwise in such manner as the presiding officer of the Tribunal may, by general or special order direct.

(12) (a) The Tribunal shall draw up a calendar for the hearing of cases and, as far as possible, hear and decide the cases according to the calendar;

(b) Notwithstanding anything contained in the Code of Civil Procedure, 1908 (5 of 1908), the appeal under section 23, as far as practicable, shall be heard on a day-to-day basis and endeavour shall be made to ensure that the same is decided within a period of one year.

(c) The Tribunal shall have the power to decline an adjournment and also to limit the time for oral arguments.

(13) (a) Where on the date fixed for hearing of the appeal or on any other date to which such hearing may be adjourned, the appellant does not appear when the appeal is called for hearing, the Tribunal may, in its discretion, either dismiss the appeal for default or hear and decide it on merits.

(b) Where an appeal has been dismissed for default and the appellant files an application for restoration of appeal within a period of thirty days from the date of dismissal and satisfies the Tribunal that there was sufficient cause for his non-appearance when the appeal was called for hearing, the Tribunal shall make an order setting aside the order dismissing the appeal and restore the same:

Provided that where the case was disposed of on merits, the decision shall not be reopened except by way of review.

(14) (a) Where on the date fixed for hearing the appeal or on any other date to which such hearing may be adjourned, the appellant appears and the respondent does not appear when the appeal is called for hearing, the Tribunal may, in its discretion adjourn the hearing or hear and decide the appeal *ex parte.*

(b) Where an appeal has been heard *ex parte* against a respondent or respondents, such respondent or respondents may apply to the Tribunal for an order to set it aside and if such respondent or respondents satisfy the Tribunal that the notice was not duly served or that he or they were prevented by any sufficient cause from appearing when the appeal was called for hearing, the Tribunal may make an order setting aside the *ex-parte* hearing as against him or them upon such terms as it thinks fit, and shall appoint a day for proceeding with the appeal:

Provided that where the *ex-parte* order is of such nature that it cannot be set aside as against one respondent only, it may be set aside as against all or any of the other respondents also:

Provided further that in cases covered by clause (h) of sub-rule (9), the Tribunal shall not set aside *ex-parte* order of an appeal merely on the ground that it was not served upon the respondent or respondents.

(15) (a) In case of death of a party during the pendency of the proceedings before the Tribunal, the legal representatives of the deceased respondent or appellant may apply electronically or otherwise within thirty days of the date of such death for being brought on record as necessary parties.

(b) Where no application is received from the legal representatives of deceased party within the period specified in clause (a), the proceedings against the deceased party shall abate:

Provided that on good and sufficient reasons the Tribunal, on an application, may set aside the order of abatement and substitute the legal representatives.

(16) The Tribunal may, if sufficient cause is shown at any stage of proceedings, grant time to the parties or any of them, and adjourn the hearing of the appeal.

(17) Every order of the Tribunal shall be in writing and shall be signed digitally or otherwise by the presiding officer who pronounced the order and the order shall be pronounced in open court.

(18)(a) Every final order passed on any appeal shall be communicated to the appellant and to the respondent concerned either electronically or otherwise by hand delivery or by speed post (with registration), free of cost.

(b) If the appellant or the respondent to any proceeding requires a copy of any document or proceeding, the same shall be supplied to him on such terms and conditions on payment of such fees as may be fixed by the presiding officer in consultation with the Central Government by general or special order, issued from time to time.

(19) The Tribunal may make such orders or give such directions as may be necessary or expedient to give effect to its orders or to prevent abuse of its process or to secure the ends of justice.

(20) Except on Saturdays, Sundays and other public holidays, the office of the Tribunal shall, subject to any order made by the presiding officer remain open from 9.30 A.M. to 6.00 P.M.

(21) The sitting hours of the Tribunal shall, ordinarily, be from 10.30 A.M. to 1.30 P.M. and 2.30 P.M. to 5.00 P.M. subject to any general or special order made by the presiding officer.

(22) (a) The Registrar shall have the custody of the records of the Tribunal and shall exercise such other functions as are assigned to him under these rules or by the presiding officer by separate order.

(b) The official seal shall be kept in the custody of the Registrar.

(c) Subject to any general or special direction by the presiding officer, the seal of the Tribunal shall not be affixed to any order, summons or other process save under the authority in writing of the Registrar.

(d) The seal of the Tribunal shall not be affixed to any certified copy issued by the Tribunal save under the authority in writing of the Registrar.

(23) In addition to the powers conferred elsewhere in these rules, the Registrar shall have the following powers and duties subject to any general or special order of the presiding officer, namely: —

(i) to receive all appeals and other documents;

(ii) to decide all questions arising out of the scrutiny of the appeals before they are registered;

(iii) to require any appeal presented to the Tribunal to be amended in accordance with the Code and the rules;

(iv) subject to the directions of the Tribunal, to fix the date of first hearing of the appeals or other proceedings and issue notices thereof;

(v) to direct any formal amendment of records;

(vi) to order grant of copies of document to parties to the proceedings;

(vii) to grant permission to inspect the records of the Tribunal;

(viii) to dispose of all matters relating to the service of notices or other process for the issue of fresh notices and for extending the time for filing such appeals and to grant time not exceeding fifteen days for filing a reply or rejoinder, if any, and to place the matter before the Tribunal for appropriate order after the expiry of the aforesaid period;

(ix) to requisition records from the custody of any court or other authority;

(x) to receive applications, within sixty days from the date of death, for substitution of legal representatives of the deceased parties during the pendency of the appeals;

(xi) to receive and dispose of applications for substitution, except where the substitution would involve setting aside an order of abatement; and

(xii) to receive and dispose of application by parties for return of documents.

(24) (a) A person preferring appeal to a Tribunal under section 23 may either appear in person or take the assistance of a legal practitioner of his choice to present his case before the Tribunal.

(b) The Central Government or a State Government or any other authority under the Code may authorise one or more legal practitioner or any of its officers and every person so authorised may present the case on its behalf with respect to any appeal before a Tribunal.

(25) The official seal and emblem of the Tribunal shall be in a round shape bearing name of the Tribunal in capital letters with the National Emblem in the Centre.

(26) The dress for the presiding officer of the Tribunal and member of the staff of the Tribunal shall be such as the presiding officer may specify by order from time to time.

(27) A legal practitioner or, as the case may be, a presenting officer shall appear before the Tribunal in his professional dress, if any, and if there is no such dress, then:

(i) if a male, in a closed collared coat and trousers or in a lounge suit;

(ii) if a female, in a saree, or any other customary dress of sober colour.

CHAPTER IV

EMPLOYEES' STATE INSURANCE CORPORATION

14. Salary and allowances of Director General and Financial Commissioner.–(1)The Director General and the Financial Commissioner appointed by the Central Government under sub-section (1) of section 24 shall receive such pay and allowances and other benefits as are admissible to officers of the Central Government drawing corresponding level of pay:

Provided that where the Director General or the Financial Commissioner is a person already in the service of the Corporation, he shall be entitled to pension, gratuity and other superannuation benefits to which he would have been otherwise entitled but for his appointment as the Director General or the Financial Commissioner.

(2) (a) The powers and duties of the Director General of the Corporation shall be —

(i) to act as the Chief Executive Officer of the Corporation;
(ii) to convene, under the orders of the Chairperson of the Corporation, meetings of the Corporation, the standing committee and the medical benefit committee thereof in accordance with the Code and the rules made thereunder by the Central Government and to implement the decisions reached at the meetings;
(iii) to enter into contracts on behalf of the Corporation in accordance with the Code or the rules made by the Central Government thereunder or regulations made thereunder, or the general or special instructions of the Corporation or the Standing Committee thereof;
(iv) to furnish all returns and documents required by the Code or the rules made thereunder by the Central Government, to the Central Government and to correspond with the Central Government and the State Governments upon all matters concerning the Corporation;
(v) to undertake such other duties and to exercise such other powers as may from time to time, be entrusted to him under the Code and the Central Rules and Regulations made thereunder.

(b) The Director General may, with the approval of the Standing Committee, by general or special order, delegate any of his powers or duties under the Central rules or the regulations or under any resolution of the Corporation or the Standing Committee thereof, as the case may be, to any person subordinate to him and the exercise or discharge of any of the powers or duties so delegated shall be subject to such restrictions, limitations and conditions, if any, as the Director General may, with the approval of the Standing Committee of the Corporation, impose.

(3) The powers and duties of the Financial Commissioner of the Corporation shall, subject to the control of the Director General, be —

(i) to maintain the accounts of the Corporation and to arrange for the compilation of accounts by the collection of returns from the centres and the regions of the Corporation;
(ii) to prepare the budget of the Corporation;
(iii) to arrange for internal audit of the accounts of the centres and the regionsof the Corporation and of the receipts and payments thereat;
(iv) to make recommendations for the investment of the funds of the Corporation; and
(v) to undertake such other duties and to exercise such other powers as may, from time to time, be entrusted or delegated to him for executive convenience.

(4) The powers of the Corporation under sub-section (7) of section 24 for employing such officers and employees shall be exercised by the Corporation in relation to posts carrying maximum of level 14 in the pay matrix as per the Seventh Central Pay Commission.

15. Investment of Employees' State Insurance Fund or any other money held by Corporation. - (1) The Corporation shall invest the Employees' State Insurance Fund vested in it in accordance with the guidelines issued by the Central Government.

(2) The Corporation for the efficient administration of the scheme may open as many accounts as it may consider necessary or as specified in the scheme.

(3) All expenses incurred in respect of and loss, if any, arising from any investment shall be charged to the Employees' State Insurance Fund and the profit, if any from the sale of any investment shall also accrue to the Employees' State Insurance Fund.

(4) Any investment made under this rule may, subject to the provisions of sub-rule (1), be varied, transposed or realised from time to time:

Provided that if such variation, transposition or realisation is likely to result in a loss, the prior approval of the Central Government shall be obtained.

Explanation. — The approval of the Central Government shall not be required merely on the ground that the value of the security on its maturity is less than the price at which it was purchased.

(5) The Central Government may, at any time, direct the vacation in part or in whole, or prohibit investment in any security or class of securities or any land or building.

(6) All dividends, interest or other sums received in respect of any investment shall, as soon as possible after receipt, be paid into or credited to the account of the Employees' State Insurance Fund.

16. Limits for defraying of expenditure.–For the promotion of measures for the improvement of the health and the welfare of insured persons, annual medical examination for insured persons of the age of forty years and above through the Corporation from its own hospitals or dispensaries only and for the rehabilitation and re-employment of insured persons who have been disabled or injured, the Corporation may incur an expenditure up to a limit of rupees one thousand crore per year, or as may be specified by the Central Government from time to time, from the Employees' State Insurance Fund.

17. Holding of property, etc.–(1) Subject to the provisions of sub-rule (3) and such conditions as may, from time to time, be laid down by the Corporation, the Director General may, for the purposes of the Code, acquire on behalf of the Corporation movable or immovable property:

Provided that sanction of the Standing Committee of the Corporation shall be required for the exchange of any immovable property, for the taking of any property on lease for a term exceeding thirty six months, or for the acceptance of any gift or bequest of property burdened with an obligation.

(2) Subject to the provisions of sub-rule (3) and such conditions as may be laid down by the Corporation from time to time, the Director General may —

(a) dispose of, by sale or exchange, any movable property belonging to the Corporation, the value of which does not exceed rupees one crore in each case, or grant for any term not exceeding twelve months a lease of any immovable property belonging to the Corporation;

(b) with the sanction of the Standing Committee of the Corporation, lease, sell or otherwise dispose of any movable or immovable property belonging to the Corporation.

(3) (a) The Corporation may enter into and perform all such contracts as it may consider necessary or expedient for carrying into effect the provisions of the Code.

(b) Every contract made under or for any purpose of the Code shall be made on behalf of the Corporation-

(i) by the Director General; or

(ii) subject to such conditions as it may specify, by such member or officer of the Corporation as it may authorise:

Provided that the sanction of the Standing Committee of the Corporation shall be obtained in respect of any contract involving an expenditure exceeding rupees twenty-five crore.

(c) Every contract entered into by any person as provided in clause (b) shall be entered into in such manner and form as would bind him if it were made on his own behalf and may in like manner and form be varied or discharged:

Provided that the common or official seal, as the case may be, of the Corporation shall be affixed to every contract for amounts exceeding rupees five lakh.

(4) (a) The Corporation may, in pursuance of a resolution passed at a meeting of the Standing Committee thereof, and with the prior approval of the Central Government, raise loans for the purposes of the Code.

(b) In particular and without prejudice to the generality of the foregoing power, the Corporation may raise loans —

(i) for the acquisition of land or the raising of buildings thereon or both, as the case may be; or

(ii) to repay a loan raised under this sub-rule; or

(iii) for any other purpose approved by the Central Government.

(c) All loans under this sub-rule shall be obtained —

(i) from the Central Government on such rates of interest and such terms as to the time and method of repayment as the Central Government may specify; or

(ii) with the approval of the Central Government from such bank or banks specified in rule 30.

(d) Where a loan is obtained from such bank or banks specified in rule 31, the Corporation may, with the approval of the Central Government, grant mortgages of all or any of the property vested in it for securing the repayment of the sums so advanced, with interest.

(e) All payments due from the Corporation for interest on, and repayment of, loans shall be made in such manner and at such times as may have been agreed upon:

Provided that the Corporation may apply any sums, which can be so applied, in repayment of any amount due in respect of the principal amount of any loan although the repayment of the same may not be due.

(f) No expenditure incurred out of a loan shall be charged by the Corporation to capital, except with the previous sanction of the Central Government.

(g) The Corporation shall submit to the Central Government an annual statement by the thirtieth of April each year showing the loans raised and repayments made during the preceding year.

18. Insurance of employees.–(1)The employer in respect of an establishment shall before or on the day of taking any person into employment, unless such person is already registered under Chapter IV of the Code, register him by entering his name and Aadhaar number and other details on the specified portal for such purpose and an insurance number shall be automatically allotted to the employee immediately on his registration which shall remain valid for a period of thirty days.Persons already registered under chapter IV shall be added on the specified portal by inserting Insurance number and date of appointment.

(2) On registration under sub-rule (1), the employer shall enter the updated particulars of that employee and family on declaration form available on the specified portal and an Aadhaar linked identity card shall be provided by the Corporation to the insured person and his dependent family members, electronically or otherwise.

(3) The insurance number allotted under sub-rule (1) shall automatically become invalid if the employee's details are not updated on the Declaration form within a period of thirty days or the Aadhaar number provided by the newly employed person is returned unauthenticated by the concerned authorities.

(4) The employer of the establishment shall be responsible for correctness of the particulars of the employee, filled on specified portal by him and the Insured Person shall be responsible for correctness of the particulars of his family submitted to the employer.

(5) The insurance number of an employee will be used by the employer for filing the contributions and for all other purposes in respect of the employee.

(6) The insurance number allotted to the employee under sub-rule (1) shall be used by him for availing any benefits available to him or his family members or both, as the case may be, under the Code.

Explanation.– For the purposes of this rule, "insurance number" means a number allotted by the specified portal to an employee for the purpose of Chapter-IV of the Code, Central rules and regulations made thereunder.

19. Rate of contributions.–(1) The amount of contribution for a wage period shall be in respect of —

(a) employer's contribution, a sum (rounded to the next higher rupee) equal to three and one-fourth per cent. of the wages payable to an employee; and

(b) employee's contribution, a sum (rounded to the next higher rupee) equal to three-fourth per cent. of the wages payable to an employee.

(2) In respect of an employee who is a person with disability under the Rights of Persons with Disabilities Act, 2016 (49 of 2016) and under the National Trust for Welfare of Persons with Autism, Cerebral Palsy, Mental Retardation and Multiple Disabilities Act, 1999 (44 of 1999), the employer shall not be required to pay employer's share of contribution up to a maximum period of three years or for such period as may be specified by the Central Government, from the date of commencement of the contribution period.

(3) The employer's share of contribution in respect of such employees and for such period under sub-rule (2) shall be reimbursed to the Corporation by the Central Government.

20. Administrative expenses.–(1) The expenditure incurred by the Corporation on the following items shall be termed as administrative expenses under section 30, namely:–

(a) payment of fees and allowances to members of the Corporation, the Standing Committee and the Medical Benefit Committee and other committees of the Corporation;

(b) payment of salaries, leave and joining time allowances, travelling and compensatory and other allowances, bonus, gratuities and compassionate allowances, pension, contributions to the Provident or other benefit funds and training related expenses of officers and employees of the Corporation;

(c) defraying expenses on depreciation and maintenance of staff cars, office buildings, staff quarters, hiring of accommodation, purchase of furniture, office equipment, stationery, printing and other expenditure in respect of offices of the Corporation;

(d) defraying expenses towards membership subscription to International Organisation, and other services for the purposes of giving effect to the provisions of Chapter IV of the Code;

(e) defraying the cost (including all expenses) of the auditing accounts of the Corporation and of the valuation of its assets and liabilities;

(f) defraying the cost (including all expenses) of the Employees' Insurance Courts set up under the Code;

(g) payment of any sums under any contract entered into for the purposes of the Code by the Corporation or the Standing Committee thereof or by any officer duly authorised by the Corporation or such Standing Committee in that behalf;

(h) payment of sums under any decree, order or award of any Court or Tribunal against the Corporation or any of its officers or servants for any act done in the execution of his duty or under a compromise or settlement of any suit or other legal proceedings or claim instituted or made against the Corporation;

(i) defraying the cost and other charges of instituting or defending any civil or criminal proceedings arising out of any action taken under the Code;

(j) defraying the expenditure in connection with publicity of the Employees' State Insurance Scheme including printing of publicity materials and courses relevant for the purposes of the Code; and

(k) defraying the expenditure on conducting evaluation studies on various aspects of functioning of the Employees' State Insurance Scheme.

(2) The percentage of the total revenue income of the Corporation which may be spent every year on its administrative expenses shall not exceed fifteen per cent.

*Explanation***.–** For the purposes of this rule, the expression "Employees' State Insurance Scheme" means the schemes referred to in Chapter IV of the Code, administered by the Corporation and such Central and state rules, regulations and notifications required to be administered by the Corporation including administrative instructions issued by the Corporation.

21. Limit for funeral expenses.–The amount of funeral expenses for the purposes of proviso to clause (f) of sub-section (1) of section 32 shall be notified by the Corporation and shall be twenty thousand rupees.

22. Qualification for claiming benefits.–(1) Subject to the provisions of the Code and the regulations, a person shall be qualified to claim sickness benefit for sickness occurring during any benefit period if the contributions in respect of him were payable for not less than seventy-eight days in the corresponding contribution period and shall be entitled to receive such benefit at the rate of seventy per cent. of the "Standard Benefit Rate" of that person during the corresponding contribution period rounded to the next higher rupee:

Provided that in case of a person who becomes an employee within the meaning of Chapter IV of the Code for the first time and for whom a shorter contribution period of less than one hundred and fifty six days is available, he shall be qualified to claim sickness benefit if the contribution in respect of him were payable for not less than half the number of days available for working in such contribution period:

Provided further that in case of an Insured woman in receipt of maternity benefit or an Insured Person in receipt of temporary disablement benefit and owing to such fact, as the case may be, a shorter contribution period is available to her or him, she or he shall be qualified to claim sickness benefit in the corresponding benefit period if the contribution in her or his respect were payable for not less than half the number of days available for working in such shorter contribution period:

Provided also that he shall not be entitled to the benefits for the first two days of sickness except in the case of a spell of sickness following, at an interval of not more than fifteen days, the spell of sickness for which sickness benefits were last paid:

Provided also that sickness benefits shall not be paid to any person for more than ninety-one days in any two consecutive benefit periods.

(2) (a) The sickness benefit may be extended if the person is diagnosed to be suffering from any one or more of the diseases specified in regulations made by the Corporation, provided that the Insured Person has completed four contribution periods immediately preceding the beginning of the spell in which the disease is first diagnosed and has paid contribution for a period of one hundred and fifty six days in the four aforesaid contribution periods and he is eligible to claim sickness benefit at least in one of the aforesaid four contributory periods.

(b) The extended sickness benefit shall be granted only if the Insured Person is otherwise entitled to extended sickness benefit under foregoing provisions but has exhausted the sickness benefit due to him under the fourth proviso to sub- rule (1) or is ineligible to sickness benefit in terms of sub-rule (1).

(c) The sickness benefit may be extended for a maximum period of seven hundred and thirty days including the sickness benefit under fourth proviso to sub-rule (1), subject to the conditions as specified in the regulations made under section 157.

(d) The daily rate of the extended sickness benefit of an insured person shall be eighty per cent. of the "Standard Benefit Rate".

(3) (a) An insured woman shall be qualified to claim maternity benefits for a confinement occurring or expected to occur in a benefit period, if the contributions in respect of her were payable for not less than seventy days in the immediately preceding two consecutive contribution periods.

(b) Subject to the provisions of the Code and the regulations, if any, an insured woman who is qualified to claim maternity benefits in accordance with clause (a) shall be entitled to receive it at the daily rate specified in clause (e) for all days on which she does not work for remuneration during a period of twenty-six weeks of which not more than eight weeks shall precede the expected date of confinement:

Provided that where the insured woman dies during her delivery or during the period immediately following the date of her delivery for which she is entitled to maternity benefits, leaving behind child in either case, the maternity benefits shall be paid for the whole of that period but if the child also dies during the said period, then, for the days up to and including the day of the death of the child, to the person nominated by the insured woman in the manner as specified in the regulations made under section 157, and if there is no such nominee, to her legal representative:

Provided further that the insured woman shall be entitled to twelve weeks of maternity benefit from the date the child is handed over to the commissioning mother after birth or adopting mother, as the case may be:

Provided also that the insured woman having two or more than two surviving children shall be entitled to receive maternity benefits during a period of twelve weeks of which not more than six weeks shall precede the expected date of confinement.

(c) An insured woman who is qualified to claim maternity benefits in accordance with clause (a) shall, in case of miscarriage or medical termination of pregnancy, be entitled, on production of such proof, as may be required under the regulations made under section 157, to maternity benefits at the rates specified in clause (e), for all days on which she does not work for remuneration during a period of six weeks immediately following the date of her miscarriage or medical termination of pregnancy.

(d) An insured woman who is qualified to claim maternity benefits in accordance with clause (a) in case of sickness arising out of pregnancy, confinement, premature birth of child or miscarriage or medical termination of pregnancy shall, on production of such proof, as may be required under the regulations made under section 157, be entitled, in addition to the maternity benefits payable to her under any other provisions of the Chapter IV, for all days on which she does not work for remuneration to maternity benefits at the rates specified in the clause (e) for all days on which she does not work for remuneration during an additional period not exceeding one month.

(e) The daily rate of maternity benefit payable in respect of confinement occurring or expected to occur during any benefit period shall be equal to the standard benefit rate in respect of the insured woman during the corresponding contribution period, rounded to the next higher rupee.

(4) An insured woman and an Insured Person in respect of his wife shall be paid a sum of rupees fifteen thousand per case as medical bonus on account of confinement expenses:

Provided that the confinement occurs at a place where necessary medical facilities under the Employees' State Insurance Scheme are not available:

Provided further that confinement expenses shall be paid for two confinements only.

(5) (a) A person shall be qualified to claim disablement benefits for temporary disablement for not less than three days (excluding the day of accident) for the period of such disablement sustained as an employee under the Code.

(b) A person shall be qualified to claim periodical payment for permanent disablement sustained as an employee under the Code whether total or partial, for such disablement:

Provided that where permanent disablement, whether total or partial, has been assessed provisionally for a limited period or finally, the benefit provided under this sub-rule shall be payable for that limited period, or as the case may be, for life.

(c) The daily rate of disablement benefit shall be ninety per cent. of the standard benefit rate in the contribution period corresponding to the benefit period in which the employment injury occurs, rounded to the next higher rupee:

Provided that where an employment injury occurs before the commencement of the first benefit period in respect of a person, the daily rate of disablement benefit shall be —

(i) where a person sustains employment injury after the expiry of the first wage period in the contribution period in which the injury occurs, ninety per cent. of his average daily wages in that wage period, rounded to the next higher rupee;

(ii) where a person sustains employment injury before the expiry of the first wage period in the contribution period in which the injury occurs, ninety per cent. of his wages actually earned or which would have been earned, had he worked for a full day on the date of accident, rounded to the next higher rupee.

Explanation. — The disablement benefit calculated under the foregoing provisions of this sub-rule shall be called the "full rate".

(d)The disablement benefits shall be payable to the Insured Person as follows, namely: -

(i) for temporary disablement, at the full rate;

(ii) for permanent total disablement, at the full rate;

(iii) for permanent partial disablement resulting from an injury specified, in Part II of the Fourth Schedule, at such percentage of the full rate which would have been payable in the case of permanent total disablement, as specified in the said Schedule as being the percentage of the loss of earning capacity caused by the injury;

(iv) for permanent partial disablement resulting from an injury not specified in Part II of the Fourth Schedule, at such percentage of the full rate payable in the case of permanent total disablement as is proportionate to the loss of earning capacity permanently caused by the injury.

Explanation. — For the purposes of this sub-rule, where more injuries than one are caused by the same accident, the rate of benefit payable under sub-clauses (iii) and (iv) shall be aggregated but not so in any case as to exceed the full rate and in cases of disablement not covered by sub-clauses (i), (ii), (iii) and (iv) at such rate, not exceeding the full rate, as provided in the regulations made under section 157.

(6) Dependants' benefit shall be paid to the dependants of the Insured Person who dies as a result of an employment injury, in the following manner, namely:-

(a) In the case of death of the Insured Person, the dependants' benefit shall be payable to his widow, children and widowed mother as follows, namely: -

(i) to the widow during life until remarriage, an amount equivalent to three-fifths of the full rate and, if there are two or more widows, the amount payable to the widow as aforesaid shall be divided equally between the widows;

(ii) to each legitimate or adopted son, an amount equivalent to two-fifths of the full rate until he attains the age of twenty-five years:

Provided that in the case of a legitimate or adopted son who is infirm and who is wholly dependent on the earnings of the Insured Person at the time of his death, dependants' benefits shall continue to be paid while the infirmity lasts;

(iii) to each legitimate or adopted unmarried daughter, an amount equivalent to two-fifths of the full rate:

Provided that in the case of legitimate or adopted daughter who is infirm and is wholly dependent on the earnings of the Insured Person at the time of his death, dependants' benefit shall continue to be paid while the infirmity lasts.

(iv) to the widowed mother during life an amount equivalent to two-fifths of the full rate:

Provided that if the total of the dependants' benefits distributed among the widow(s) and legitimate or adopted children and widowed mother of the deceased person as aforesaid exceeds at any time the full rate, the share of each of the dependants shall be proportionately reduced, so that the total amount payable to them does not exceed the amount of disablement benefits at the full rate.

(b) In case the deceased person does not leave widow or legitimate or adopted child or widowed mother, dependants' benefits shall be payable to other dependants as follows, namely:-

(i) to the widower during life until remarriage, at an amount equivalent to three-fifths of the full rate;

(ii) to a parent other than the widowed mother or grandparent, for life, at an amount equivalent to two fifths of the full rate and if there are two or more parents (other than widowed mother) or grandparents the amount payable to the parents (other than widowed mother) or grandparents as aforesaid shall be equally divided between them;

(iii) to any other —

(a) male dependant**,** until he attains the age of eighteen years,(b) female dependant**,** until she attains the age of eighteen years or until marriage, whichever is earlier or if widowed, until she attains eighteen years of age or re-marriage, whichever is earlier,

at an amount equivalent to two-tenths of the full rate:

Provided that if there be more than one dependant**,** under sub-clause (ii), the amount payable under this sub-rule shall be equally divided between them:

Provided further that if the total of the dependants' benefits distributed among the other dependants of the deceased person under clause (b) exceeds at any time the full rate, the share

of each of the dependants shall be proportionately reduced, so that the total amount payable to them does not exceed the amount of disablement benefits at the full rate.

(7) The daily rate of dependants' benefit shall be ninety per cent. of the standard benefit rate in the contribution period corresponding to the benefit period in which the employment injury occurs:

Provided that where an employment injury occurs before the commencement of the first benefit period in respect of a person, the daily rate of dependants' benefit shall be —

(i) where a person sustains employment injury after the expiry of the first wage period in the contribution period in which the injury occurs, ninety per cent. of his average daily wages during that wage period, rounded to the next higher rupee;

(ii) where a person sustains employment injury before the expiry of the first wage period in the contribution period in which the injury occurs, ninety per cent. of wages actually earned or which would have been earned had he worked for a full day on the date of accident, rounded to the next higher rupee:

Provided that the minimum total amount of the periodical monthly payment of dependants' benefit payable to all eligible dependants of a deceased employee, shall be as notified by the Corporation.

(8) At any time when its funds so permit, the Corporation may review and alter the scale of any benefit admissible under the Code and the period for which such benefit may be given.

23. Appeal to Medical Appeal Tribunal.–(1) If the Insured Person or the Corporation is not satisfied with the decision of the medical board, the Insured Person or the Corporation, as the case may be, may appeal against such decision to The Medical Appeal Tribunal referred to in sub-section (7) of section 37 by presenting an application within ninety days from the date of communication of the said decision to the Insured Person or the Corporation, as the case may be:

Provided that the medical appeal tribunal may entertain an application after the period of ninety days, if it is satisfied that the appellant had sufficient reasons for not presenting the application within the said period.

(2) The application, referred to in sub-rule (1), shall be in such form as may be specified in the regulations made under section 157.

(3) The application may be sent to the Chairperson of the Medical Appeal Tribunal by speed post (with registration) or may be presented personally.

24. Second appeal to Employees' Insurance Court. – (1)The Insured Person or the Corporation, as the case may be, may appeal to the Employees' Insurance Court by presenting an application within a period of ninety days from the date of the communication of the decision of the medical board or medical appeal tribunal:

Provided that the Employees' Insurance Court may entertain an application after the period of ninety days, if it is satisfied that the appellant had sufficient reasons for not presenting the application within the said period.

(2) The rules made by the State Government under the Code in respect of the form and manner to be followed in presenting applications to the Employees' Insurance Court, shall be applicable to the applications presented under this rule.

25. Qualification and other conditions of Insured Person and his family for claiming medical benefit.–(1) A person shall be entitled to medical benefit during any period for which contributions are paid or payable in respect of him or in which he is qualified to claim sickness benefit or maternity benefit.

(2) A person who is in receipt of disablement benefit shall be entitled to medical benefit while he is in receipt of such benefit:

Provided that after the disablement has been declared as permanent disablement, the person shall not be entitled to medical benefit, if he is not otherwise entitled to such benefit, except in respect of any medical treatment which may be rendered necessary on account of the employment injury from which the disablement resulted.

(3) A person on becoming an Insured Person for the first time shall be entitled to medical benefit for a period of three months provided that where such a person continues for three months or more to be an employee of an establishment to which the Chapter IV of the Code applies, he shall be entitled to medical benefit till the beginning of the corresponding benefit period.

(4) The person in respect of whom contributions have been paid in a contribution period for not less than seventy-eight days in the said contribution period shall be entitled to medical benefit till the end of the corresponding benefit period:

Provided that in case of a person who becomes an employee within the meaning of the Code, for the first time, and for whom a shorter contributory period of less than one hundred and fifty six days is available, he shall be entitled to medical benefit till the end of the corresponding benefit period if the contributions in respect of him were payable for not less than half the number of days available for working in such contribution period.

(5) When a person qualifies for extension of sickness benefit as per provision of clause (b) of sub-rule (2) of rule 22 and regulations made on the subject under section 157, he shall be entitled to medical benefit till the end of the relevant extended benefit period.

(6) An Insured Person, whose entitlement to medical benefit has ceased under this rule, shall again be entitled to medical benefit from the date of his re-employment as an employee under Chapter IV of the Code by an establishment to which the Code applies immediately on registration on specified portal for such purpose and such an Insured Person shall, unless he is covered by sub-rule (4) or (5), be entitled to medical benefit till the commencement of the benefit period corresponding to the contribution period in which he is re-employed.

(7)The family of an Insured Person shall become entitled to medical benefit from such date as may be specified by the Corporation, by notification and shall continue to be so entitled so long as the Insured Person is entitled to receive medical benefit for himself, or in the case of death of the Insured Person till such date up to which the Insured Person would have remained entitled to medical care, had he survived.

(8) An Insured Person and his family shall be entitled to receive medical benefit only of such kind and on such scale as may be provided by the State Government or by the Corporation, as the case may be, and an Insured Person or his family shall not have a right to claim any medical treatment except such as is provided by the dispensary, hospital, clinic or other institution to which he or his family is allotted, or as may be provided by the regulations made under section 157.

(9) Nothing in these rules shall entitle an Insured Person and his family to claim reimbursement from the Corporation of any expenses incurred in respect of any medical treatment, except as may be provided by the regulations made under section 157.

(10) An Insured Person who ceases to be in an insurable employment on account of permanent disablement caused due to an employment injury shall be eligible to receive medical benefits for himself and his spouse at the scale to be provided under sub-rule (8), subject to —

(i) the production of proof by such an Insured Person that he ceased to be in an insurable employment on account of permanent disablement due to employment injury to the satisfaction of such officer in such manner as may be authorised by the Corporation;

(ii) the payment of contribution at the rate of fifty rupees per month in lump sum for one year at a time in advance to the concerned office of the Corporation in the manner specified by it; and

(iii) after demise of disabled Insured Person, his spouse shall be eligible to receive medical benefit at the scale as provided in sub-rule (8), subject to payment of contributions specified in clause (ii).

(11) The widow or widower, as the case may be, of an insured person in receipt of dependant benefits shall be eligible to receive medical benefit at the scale to be provided in sub-rule (8) subject to the payment of contribution at the rate of rupees fifty per month in lump sum for one year at a time in advance to the concerned officer of the Corporation in the manner specified by it.

(12) The employer may avail the facility of free annual medical examination in respect of Insured Person of the age of forty years and above through the Corporation from its own dispensaries or hospitals on the scale as provided in the Occupational Safety, Health and Working Conditions (Central) Rules, 2026.

26. Employees' State Insurance Society.– (1) The State Government may establish such organisation as an Employees' State Insurance Society (hereinafter refer to as the Society), which shall serve as a managerial and health care body, in terms of sub-section (5) of section 40.

(2) The Society shall consist of the Governing Body, the Executive Committee, the Chief Executive Officer and the Secretariat.

(3) The Society shall be registered under the State specific Societies Registration Act or the State specific Public Trust Act.

(4) The Governing Body of the Society shall consist of the following members, namely: -

(i) Chief Secretary of the State as Chairperson;
(ii) Additional Chief Secretary or Principal Secretary or Secretary (Labour or Health) whosoever is overseeing the Employees' State Insurance Services in the State as Vice-Chairperson;
(iii) Additional Chief Secretary or Principal Secretary or Secretary (Health or Labour) other than appointed under clause (ii) as member;
(iv) Additional Chief Secretary or Principal Secretary or Secretary (Finance)as member;
(v) Director, Employees' State Insurance Services of the State as Chief Executive Officer-cum-Member Secretary;
(vi) Corporation's Nominee as member;
(vii) three Employers' Representative nominated by the Corporation as member;
(viii) three Employees' representatives nominated by the Corporation as member;
(ix) Regional Director, Employees' State Insurance Corporation as member;
(x) State Medical Officer, Employees' State Insurance Corporation or any other Medical Officer nominated by the Corporation as member.

(5) The management of the affairs of the Society shall be entrusted to the Governing Body and the property of the society shall be vested in the Governing Body and the Society shall be responsible for repair and maintenance of the properties in the possession of the Society and vested in the Governing Body.

(6) The Society shall have an Executive Committee which shall act for and discharge functions on behalf of Governing Body, consisting of the following members, namely:–

(i) Additional Chief Secretary or Principal Secretary or Secretary (Labour or Health) overseeing the Employees' State Insurance Directorate in the State as Chairperson;

(ii) Additional Chief Secretary or Principal Secretary or Secretary (Health or Labour) other than the Chairperson as Vice Chairperson;

(iii) Additional Chief Secretary or Principal Secretary or Secretary (Finance) as member,

(iv) Director-in-Chief of Directorate of Health and Family Welfare of State as member,

(v) Regional Director of Employees' State Insurance Corporation as member;

(vi) State Medical Officer of Employees' State Insurance Corporation or any other Medical Officer nominated by the Corporation as member;

(vii) One Employer Representative as member;

(viii) One Employee Representative as member;

(ix) The Director, State Employees' State Insurance Directorate shall be the Chief Executive Officer-cum-Member Secretary.

(7) One third or at least three, whichever is higher, of the filled in posts of the members of the Governing Body or the Executive Committee, shall form the quorum for their meeting and every matter coming up for decision before a meeting of the Governing Body or the Executive Committee, as the case may be, shall be decided by the majority of persons present and voting at the time of meeting and in case of equality of votes, the Chairperson of the meeting shall have an additional casting vote.

(8) The Governing Body shall hold meeting at least twice a year and the Executive Committee shall hold meeting at least once in every three months

(9) The Chairperson, or in his absence, the Vice Chairperson of the Governing Body or the Executive Committee, as the case may be, shall preside at the meeting.

(10) The Society shall establish a secretariat which shall be responsible for day to day management of the Society's activities.

(11) The Chief Executive Officer may be authorised by the Governing Body to execute such contracts on behalf of the Society as it may deem fit in the conduct of the business of the Society, subject to the State Government norms.

(12) The Society shall submit its budget by 10th December of each year and the accounts of the Society shall be audited annually by the Comptroller and Auditor General of India.

(13) The financial year of the Society shall be from 1st April to 31st March.

(14) The financial statement for the year ending 31st March shall be prepared by 31st May of the year and an annual report along with annual accounts shall be submitted to the Corporation within six months of the closure of financial year.

(15) It shall have a bank account in the name of the Society to be opened in a Nationalised Bank or any scheduled bank authorised for government agency business and the Society shall be entitled to receive grants, donations, contributions, subscription, bequests, fees, loan or contingency in cash or kind, either in Indian or foreign currency, subject to the approval of Governing Body of the Society.

(16) The tenure of non-official members of the Society shall be two years and no non-official member shall be entitled to more than two terms as a member of the Society.

(17) The Society may sue or be sued in the name of Chief Executive Officer of the Society or of such other members as shall, in reference to the matter concerned, be appointed by the Governing Body for the occasion.

(18) The Society shall engage employees on deemed deputation from the State Government or the Public Sector Undertaking or the Central Government or the Corporation and their pensionary liabilities, if any, shall rest with respective appointing authorities.

(19) The Society shall carry out any other activity as may be specified by the Central Government or as may be directed by the Corporation.

(20) The non-official members of the Governing Body, and the Executive Committee, of the Society shall be allowed travelling allowance and daily allowance for attending its meetings at the rates admissible to the officers of the Central Government holding a post in level 12 in the pay matrix.

27. Capitalised value of benefit payable to the employee.–The capitalised value of the permanent disablement benefit and dependants' benefit shall be calculated by multiplying the daily rate of benefit with the multiplication factor based on age of the Insured Person or the dependants provided in the regulations made under section 157.

28. Terms and conditions for operation of scheme for other beneficiaries.–The terms and conditions for providing benefits under the scheme for other beneficiaries under section 44, such as may be notified, by the Central Government from time to time and user charges shall be as specified by the Corporation from time to time, with the prior approval of the Central Government.

29. Proceedings before Employees' Insurance Court, etc.– (1) The proceedings before an Employees' Insurance Court shall be commenced on application by the Corporation or the aggrieved person or the employer of an establishment, as the case may be.

(2) Subject to the provisions of Chapter IV of the Code and any rules made by the State Government thereunder, all proceedings before the Employees' Insurance Court shall be instituted in the Court appointed for the local area in which the Insured Person was working at the time the question or dispute arose.

(3) If the Court is satisfied that any matter arising out of any proceedings pending before it can be more conveniently dealt with by any other Employees' Insurance Court in the same State, it may, subject to any rules made by the State Government in this behalf, order such matter to be transferred to such other Court for disposal and shall forthwith transmit to such other Court the records connected with that matter.

(4) The State Government may transfer any matter pending before any Employees' Insurance Court in the State to any such Court in another State with the consent of the State Government of that State.

(5) The Court to which any matter is transferred under sub-rule (3) or sub-rule (4) shall continue the proceedings, further from the stage it is transferred to it, as if they had been originally instituted in it.

30. Administration of Fund.–(1) All moneys accruing or payable to the Employees' State Insurance Fund shall be received by such officers of the Corporation as may be authorised by it in this behalf and the amount so received shall as soon as practicable be acknowledged by a receipt electronically or otherwise in such form as specified in the regulations made under section 157 and deposited in the Reserve Bank of India or Banks approved by the Central Government to the account of such fund:

Provided that such bank or banks for depositing the fund shall be a nationalised bank or any scheduled bank authorised for Government agency business.

Explanation. — For the purposes of this rule, - (a) "nationalised bank" means a corresponding new bank specified in the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970) or a corresponding new bank specified in the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 (40 of 1980);

(b) "scheduled bank" means a scheduled bank referred to in section 42 and specified in the Second Schedule to the Reserve Bank of India Act, 1934 (2 of 1934); and

(c) "authorised bank for Government agency business" means banks notified by the Government of India Department of Expenditure in the Ministry of Finance vide Office Memorandum number S-11021/1(20)/Rly/2008/RBD/2018, dated 7th December, 2016, as amended from time to time.

(2) (a) All moneys accruing or payable to the Corporation shall be credited to the bank or banks approved by the Central Government for such purpose and not utilised directly for any purpose;

(b) Such bank or banks shall be required at the end of every calendar month to furnish to the Corporation or such officer as may be authorised by it in this behalf, a statement of the amounts deposited in and withdrawn from the Fund during the month and these statements shall be examined by the Director General before the expiry of a period of two months following the period to which the statement relates.

(3) (a) The accounts of the fund shall be operated on by such officers as may be authorised by the Standing Committee, with the approval of the Corporation.

(b) No payment shall be made by the bank or banks out of the fund except on a cheque signed by such officers as may be authorised under clause (a).

(c) Any payment in excess of one thousand rupees shall be made electronically or by means of a cheque signed as aforesaid and not in any other way unless specifically authorised by the Standing Committee or the Corporation.

(d) No payment shall be made out of the fund unless the expenditure is covered by a current budget grant:

Provided that in the absence of a current budget grant, the Corporation may authorise payments either generally or for any particular case:

Provided further that the payment of benefits to Insured Persons under the provisions of the Code and of the pay and allowances of duly sanctioned posts shall not be withheld for want of a sanctioned budget grant.

(4) Before any person authorised under sub-rule (3) signs a cheque or authorises an electronic payment, he shall satisfy himself that the sum for which the cheque is drawn is —

(i) required for a purpose or work specifically sanctioned by the competent authority and covered by a current budget grant; and

(ii) required for any payment referred to and specified under section 26.

(5) (a) The budget estimates of the Corporation for each financial year beginning on the 1st day of April and ending on the 31st day of March next shall be prepared by the Financial Commissioner of the Corporation in such form as the Central Government may, from time to time, direct and shall be submitted with his recommendations by the Director General to the Standing Committee for approval at a meeting of the Standing Committee to be held before the 1st day of February of the preceding year.

(b) A copy of the budget estimates shall be sent to each member of the Standing Committee and of the Corporation at least seven clear days before the meeting of the Standing Committee or the Corporation at which these estimates are to be considered.

(c) The Standing Committee shall consider and approve the budget estimates with such changes as it may consider necessary.

(d) The budget estimates as approved by the Standing Committee shall be placed before a meeting of the Corporation to be held before the 20th day of February of the preceding year.

(e) The budget estimates as passed by the Corporation shall be authenticated by affixing the common seal of the Corporation and shall be submitted to the Central Government under section 117, not later than the 1st day of March next following.

(f) It shall be open to the Central Government to make such alterations in the budget estimates as may be considered necessary before according approval.

(g) The budget estimates as finally adopted by the Corporation and as approved by the Central Government shall be placed before the Parliament by the administrative Ministry concerned in the month of March preceding the financial year to which the estimates relate.

(6) The Standing Committee of the Corporation may cause a supplementary estimate to be prepared and submitted to the Corporation if in respect of any financial year further expenditure is likely to be incurred and every such supplementary estimate shall be considered and sanctioned by the Corporation and submitted to the Central Government in the same manner as if it were an original annual estimate, not later than the 15th day of February of the financial year to which it relates and the provisions of sub-rule (5) shall, so far as may be, apply to such supplementary estimate.

(7) (a) If the Director General finds in the course of the year that there is likely to be an excess of expenditure over the sanctioned budget estimate under any head, he shall examine the allotment under each head of the budget estimate with the object of discovering probable savings under any other head and effecting a re-appropriation and where such re-appropriation is feasible, he may sanction the re-appropriation subject to such conditions as may be laid down by the Central Government from time to time.

(b) Fund shall not be re-appropriated to meet expenditure on a new service not contemplated in the budget estimates except with the prior approval of the Central Government.

(c) No re-appropriation shall be permitted between the grant sanctioned for administrative expenses, two-thirds of which shall be met by the Central Government, and a grant sanctioned for any other expenditure.

CHAPTER V

GRATUITY

31. Gratuity invested for benefit of minor.-In the case of a nominee, or an heir, who is minor, the competent authority referred to in the third proviso to sub-section (*1*) of section 53 shall invest the gratuity amount deposited with him by the employer for the benefit of such minor in term deposit with the State Bank of India or any nationalised bank.

Explanation.– For the purposes of this rule, "nationalised bank" means a corresponding new bank specified in the First Schedule to the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 (5 of 1970) or a corresponding new bank specified in the First Schedule of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 (40 of 1980).

32. Nomination, fresh nomination and modification.– (1) A nomination shall be in Form-III and submitted in duplicate by the employee either by personal service, after taking proper receipt or by speed post (with registration) or electronically to the employer, -

(i) in the case of an employee who is already in employment for a year or more on the date of commencement of these rules but has not submitted the nomination, ordinarily, within ninety days from such date; and

(ii) in the case of an employee who completes one year of service after the date of commencement of these rules, ordinarily within ninety days of the completion of one year of service:

Provided that nomination in Form-III shall be accepted by the employer after the expiry of the specified period, if filed and no nomination so accepted shall be invalid merely because it was filed after the specified period.

(2) Within thirty days of the receipt of nomination in Form-III under sub-rule (1), the employer shall get the service particulars of the employee, as mentioned in the form of nomination, verified with reference to the records of the establishment and return to the employee, after obtaining a receipt thereof, the duplicate copy of the nomination in Form-III duly attested either by the employer or an officer authorised in this behalf by him, as a token of recording of the nomination by the employer and the other copy of the nomination shall be retained by him.

Provided that the details of Aadhaar of the nominee shall be provided by the employee at the time of filling the nomination form.

(3) An employee who has no family at the time of making a nomination shall, within ninety days of acquiring a family submit in the manner specified in sub-rule (1), a fresh nomination, as required under sub-section (4) of section 55, duplicate in Form-III to the employer and thereafter the provisions of sub-rule (2) shall apply *mutatis mutandis* as if it was made under sub-rule (1).

(4) A notice of modification of a nomination, including cases where a nominee predeceases an employee, shall be submitted in duplicate in Form-III to the employer in the manner specified in sub-rule (1), and thereafter the provisions of sub-rule (2) shall apply *mutatis mutandis* as if it was made under sub-rule (1).

(5) A nomination or a fresh nomination or a notice of modification of nomination shall be, signed by the employee or, if illiterate, shall bear his thumb impression in the presence of two competent witnesses, who shall also sign a declaration to that effect in the nomination, fresh nomination or notice of modification of nomination, as the case may be, and shall be submitted by the employee electronically or by personal service or by speed post (with registration) to the employer.

(6) A nomination, fresh nomination or notice of modification of nomination shall take effect from the date of receipt thereof by the employer.

33. Application for gratuity and appeal etc.,– (1) (a) An employee who is eligible for payment of gratuity under the Code, or any person authorised, in writing, to act on his behalf, shall apply, ordinarily within a period of thirty days from the date the gratuity became payable, in Form-IV to the employer:

Provided that where the date of superannuation or retirement of an employee is known, the employee may apply to the employer before thirty days of the date of superannuation or retirement:

Provided further that an employee on fixed term employment shall be eligible for gratuity, if he renders service under the contract for a period of at least one year and for subsequent period in excess of six months and more, but less than one year, shall be rounded off to one additional year.

(b) A nominee of an employee who is eligible for payment of gratuity under the third proviso to sub-section (1) of section 53 shall apply, ordinarily within thirty days from the date gratuity became payable to him, in Form-IV to the employer:

Provided that an application in plain paper with relevant particulars shall also be accepted and the employer may obtain such other particulars as may be deemed necessary by him.

(c) A legal heir of an employee, who is eligible for payment of gratuity under the third proviso to sub-section (1) of section 53, shall apply, ordinarily within one year from the date gratuity became payable to him, in Form-IV to the employer;

(d) Where gratuity becomes payable under the Code before the commencement of these rules, the periods of limitation specified in clauses (a), (b) and (c) shall be deemed to be operative from the date of such commencement;

(e) An application for payment of gratuity filed after the expiry of the periods specified in this rule shall also be entertained by the employer, if the applicant adduces sufficient cause for the delay in preferring his claim, and no claim for gratuity under the Code shall be invalid merely because the claimant failed to present his application within the specified period and any dispute in this regard shall be referred to the competent authority for his decision.

(f) An application under this rule shall be presented to the employer either electronically or by personal service or by speed post (with registration).

(2) (a) within fifteen days of the receipt of an application under sub-rule (1) for payment of gratuity, the employer shall–

(i) if the claim is found admissible on verification, issue a notice in Form-V to the applicant employee, nominee or legal heir, as the case may be, specifying the amount of gratuity payable and fixing a date, not being later than the thirtieth day after the date of receipt of the application, for payment thereof; or

(ii) if the claim for gratuity is not found admissible, issue a notice in Form-V to the applicant employee, nominee or legal heir, as the case may be, specifying the reasons why the claim for gratuity is not considered admissible and a copy of the notice shall be endorsed to the competent authority.

(b) In case payment of gratuity is due to be made in the employer's office, the date fixed for the purpose in the notice in Form-V under sub-clause (i) of clause (a) sub-rule (2) shall be re-fixed by the

employer, if a written application in this behalf is made by the payee explaining why it is not possible for him to be present in person on the date specified.

(c) If the claimant for gratuity is a nominee or a legal heir, the employer may ask for such witness(es) or evidence(s) as may be deemed relevant for establishing his identity or maintainability of his claim, as the case may be and in that case, the time limit specified for issuance of notices under clause (a) of sub-rule (2) shall be operative with effect from the date such witness(es) or evidence(s), as the case may be, called for by the employer is furnished to the employer.

(d) A notice in Form-V shall be served on the applicant either by personal service after taking receipt or by speed post (with registration) or electronically.

(e) A notice under sub-section (2) of section 56 shall be in Form-V**.**

(3) The gratuity payable under the Code shall be paid through Demand Draft or by crediting in the bank account of the eligible employee, nominee or legal heir, as the case may be.

(4) (a) If an employer–

(i) refuses to accept a nomination under rule 32 or to entertain an application sought to be filed under sub-rule (1); or

(ii) issues a notice under clause (a) of sub-rule (2) either specifying an amount of gratuity which is considered by the applicant less than what is payable or rejecting eligibility to payment of gratuity; or

(iii) having received an application under sub-rule (1) fails to issue notice as required under sub-rule (2) within the time specified therein,

the claimant employee, nominee or legal heir, as the case may be, may, within one hundred eighty days of the occurrence of the cause for the application, apply in Form-VI to the competent authority for issuing a direction under sub-section (5) of section 56 with copy to the opposite party:

Provided that the competent authority may accept any application under this sub-rule, on sufficient cause being shown by the applicant, after the expiry of the specified period.

(b) Application under clause (a) and other documents relevant to such an application shall be presented in person to the competent authority or shall be sent by speed post (with registration) or electronically.

(5) (a) On receipt of an application under sub-rule (4) the competent authority shall, by issuing a notice in Form-VII, electronically or speed post (with registration) acknowledgment due or in person call upon the applicant as well as the employer to appear before him on a specified date, time and place, either by himself or through his authorised representative through virtual mode or otherwise together with all relevant documents and witnesses, if any.

(b) Any person desiring to act on behalf of an employer or employee, nominee or legal heir, as the case may be, shall present to the competent authority a letter of authority from the employer or the person concerned, as the case may be, on whose behalf he seeks to act together with a written statement explaining his interest in the matter and praying for permission so to act and the competent authority shall record thereon an order either according his approval or specifying, in the case of refusal to grant the permission prayed for, the reasons for the refusal.

(c) A party who is being represented by an authorised representative shall be bound by the acts of the representative.

(d) After completion of hearing on the date(s) fixed under clause (a), or after taking such further evidence(s), examination of documents or witnesses, hearing and inquiry, as may be deemed necessary, the competent authority shall record his finding as to whether any amount is payable to the applicant under the Code and a copy of the finding shall be given to each of the parties.

Provided that the Competent Authority shall dispose of the application for gratuity within six months from the date of receipt of the application:

Provided further that the Competent Authority may, for reasons to be recorded in writing, extend the said period for a further period not exceeding three months.

(e) If the employer concerned fails to appear on the specified date of hearing after due service of notice without sufficient cause being shown, the competent authority may proceed to hear and determine the application *ex parte*; and if the applicant fails to appear on the specified date of hearing without sufficient cause, the competent authority may dismiss the application:

Provided that an order under clause (e) may, on good cause being shown within a period of thirty days of receipt of the said order, be reviewed and the application re-heard after giving not less than fourteen days' notice to the opposite party of the date fixed for rehearing of the application.

(6) The sittings of the competent authority shall be held at such times and at such places as he may fix and he shall inform the parties of the same electronically or otherwise.

(7) The competent authority may authorise a clerk of his office to administer oaths for the purpose of giving evidence or producing documents.

(8) The competent authority may, at any stage of the proceedings before him, either upon or without an application by any of the parties involved in the proceedings before him, and on such terms as may appear to the competent authority just, issue summons to any person in Form-VII either to give evidence or to produce documents or for both purposes on a specified date, time and place.

(9) (a) Subject to the provisions of clause (b), any notice, summons, process or order issued by the competent authority may be served either personally or by speed post (with registration) or electronically or in any other manner as provided under the Code of Civil Procedure, 1908 (5 of 1908).

(b) Where there are numerous persons as parties to any proceeding before the competent authority and such persons are members of any trade union or association or are represented by an authorised person, the service of notice on the secretary, or where there is no secretary, on the principal officer of the trade union or association, or on the authorised person shall be deemed to be service on such persons.

(10) (a) The competent authority shall record the particulars of each case under section 56 and at the time of passing orders shall sign and date the particulars so recorded.

(b) The competent authority shall, while passing orders in each case, also record the findings on the merits of the case and file it together with the memoranda of evidence with the order sheet.

(c) Any record, other than a record of any order or direction, which is required by these rules to be signed by the competent authority, may be signed on behalf of and under the direction of the competent authority by any subordinate officer appointed in writing for this purpose by the competent authority.

(11) If a finding is recorded under clause (d) of sub-rule (5) that the applicant is entitled to payment of gratuity under the Code, the competent authority shall issue a notice to the employer concerned in Form-VIII electronically or by speed post (with registration) or in person specifying the amount payable and directing payment thereof to the applicant under intimation to the competent authority within a period of thirty days from the date of the receipt of the notice by the employer and a copy of the notice shall be endorsed to the applicant employee, nominee or legal heir, as the case may be.

(12) (a) The memorandum of appeal under sub-section (8) of section 56 shall be submitted to the appellate authority specified, by order, by the Central Government with a copy thereof to the opposite party and the competent authority either through delivery in person or by speed post (with registration) or electronically.

(b) The memorandum of appeal shall contain the facts of the case, the decision of the competent authority, the grounds of appeal and the relief sought.

(c) There shall be appended to the memorandum of appeal a certified copy of the finding of the competent authority and direction for payment of gratuity.

(d) On receipt of the copy of memorandum of appeal, the competent authority shall forward records of the case to the appellate authority.

(e) Within fourteen days of the receipt of the copy of the memorandum of appeal from the appellate authority, the opposite party shall submit his reply of each paragraph of the memorandum with additional pleas, if any, to the appellate authority with a copy to the appellant.

(f) The appellate authority shall record its decision after giving the parties to the appeal a reasonable opportunity of being heard and a copy of the decision made by the appellate authority shall be given to the parties to the appeal electronically or byspeed post (with registration) or in person and a copy thereof shall be sent to the competent authority returning records of the case sent by him:

Provided that the Appellate Authority shall dispose of the application for gratuity within six months from the date of receipt of the application:

Provided further that the Appellate Authority may, for reasons to be recorded in writing, extend the said period for a further period not exceeding three months.

(g) The competent authority shall, on receipt of the decision of the appellate authority, make necessary entry in the records of the case maintained by him.

(h) On receipt of the decision of the appellate authority, the competent authority shall, if required under that decision, modify his direction for payment of gratuity and issue a notice to the employer concerned in Form-VIII specifying the modified amount payable and directing payment thereof to the applicant, under intimation to the competent authority within a period of fifteen days of the receipt of the notice by the employer and a copy of the notice be endorsed to the appellant employee, nominee or legal heir, as the case may be, and to the appellate authority.

(13) Where an employer fails to pay the gratuity due under the Code in accordance with the notice by the competent authority under sub-rule (11) or sub-rule (12), as the case may be, the employee concerned, his nominee or legal heir, as the case may be, to whom the gratuity is payable may apply to the competent authority in duplicate in Form IX for recovery thereof under section 129.

34. Qualifications and experience of competent authority.–The competent authority shall be appointed by the Central Government, by notification, from its gazetted officers having experience in labour matters.

CHAPTER VI

MATERNITY BENEFIT

35. Certificate and notice of claim for maternity benefit.–(1) (a) The fact that a woman is pregnant or has been delivered of a child or has undergone miscarriage or medical termination of pregnancy or tubectomy operation or is suffering from illness arising out of pregnancy, delivery, premature birth of a child or miscarriage or medical termination of pregnancy or tubectomy operation shall be proved by the production of a certificate in Form-X**,** from-

(i) a registered medical practitioner; or

(ii) an Accredited Social Health Activist; or

(iii) a qualified Auxiliary Nurse and Midwife.

(b) The fact that a woman has been confined may also be proved by the production of a certificate of birth from the municipality or the gram panchayat, extract from a birth register maintained under the provisions of any law for the time being in force or a certificate signed by an Accredited Social Health Activist or qualified Auxiliary Nurse and Midwife or Gram Pradhan or Village Administrative Officer or Authorised Officer of the Municipality, as the case may be.

(c) The fact that a woman has undergone miscarriage may also be proved by the production of a certificate signed by a qualified Auxiliary Nurse and Midwife.

(d) The fact of death of a woman or a child may be proved by the production of a certificate to that effect in Form-X from any of the authorities referred to in clause (a) that is to say from the Gram Pradhan or the Village Administrative Officer or Authorised Officer of the Municipality, as the case may be, or by the production of a certified extract from a death register maintained under the provisions of any law for the time being in force.

(2) (a) A woman employed in an establishment and entitled to maternity benefit shall give notice to her employer in Form-XI and the employer shall make payment of the maternity benefit and any other amount due under the Code to the woman concerned, or, in case of her death before receiving such maternity benefit or amount, or where the employer is liable for maternity benefit under the second proviso to sub-section (3) of section 60, to the person nominated by the woman in her notice in Form-XI and in case there is no such nominee to her legal representative:

Provided that an application in plain paper or electronically with relevant particulars may be accepted by an employer at his discretion instead of Form-XI:

Provided further that no claim shall be invalid merely because the claimant failed to present her application in specified form.

Provided that the details of Aadhaar of the nominee shall be provided by the women employee at the time of filling the nomination form.

(b) In case of doubt, the maternity benefit or other amount due to a woman employed in an establishment shall be deposited by the employer, within two months from the date of death of the woman concerned with the competent authority, who shall, after making necessary enquiries as he may think fit, pay it to the person who, in his opinion, is entitled to receive it.

Provided that the enquiry by the Competent Authority shall be completed within three months from the date of deposit of the maternity benefit by the employer and may, for reasons to be recorded in writing, be extended for a further period not exceeding three months.

(c) Whenever the payment referred to in clause (a) is made, a receipt shall be obtained by the employer in Form-XI from the person to whom the payment is made and in cases falling under clause (b), a receipt shall be given to the employer by the competent authority.

(d) The medical bonus shall be paid along with maternity benefit.

(e) The maternity benefit or any other amount payable under section 63 shall be paid within two months of the date of death of the woman entitled to receive such benefit or amount.

(f) The wages payable under section 65 shall be paid to the woman entitled to receive such wages within forty-eight hours of production of the certificate in Form-X by her.

36. Duration of nursing breaks.–(1) Each of the two breaks mentioned in section 66 shall be of 15 minutes duration however, an extra sufficient period, depending upon the distance to be covered, shall be allowed for the purpose of journey to and from the crèche or the place where the children are left by women while on duty, provided that such extra period shall be up to 15 minutes.

(2) If any dispute arises regarding such extra period, the matter shall be referred to the competent authority for decision.

37. Employees and crèche facility.–(1) In every establishment where fifty or more employees are ordinarily employed, there shall be provided and maintained a crèche for the use of children under the age of six years of such employees.

(2) The crèche shall provide adequate accommodation with lighting, ventilation and shall be maintained in a clean and sanitary condition and the criteria for setting up of a crèche shall be as under, namely:–

(i) a crèche shall be located within one kilometre of the establishment to which Chapter VI of the Code applies and shall be conveniently accessible to the employees whose children are accommodated therein:

Provided that the location of one kilometre radius shall be relaxed by the competent authority in case of the establishments located within the industrial parks or industrial area, notified by the Central Government or the State Government or any Local Authority of the Central Government or the State Government, as the case may be, where a common crèche facility is provided within such industrial parks or industrial area and easily accessible to the employees;

(ii) crèche shall be maintained in safe and rain proof building;

(iii) (a) accommodation in the crèche shall be on a scale of at least ten square feet of floor area per child;
(b) there shall be a play area suitably fenced for children;
(iv) the working hours of crèche shall correspond to the working hours of the employees and it may work in shifts;

(v) every crèche shall be in the charge of a woman with midwifery qualification or training as crèche attendant and where the number of children exceeds ten, the crèche attendant shall be assisted by female ayahs at the rate of one ayah for every ten children up to six years;

(vi) the crèche shall have sufficient number of cots, beds, cotton sheets, rubber sheets, blankets, pillows, toys, and like other things for children;

(vii) (a) every crèche shall have suitable arrangement for female employees to feed their children below fifteen months of age during the intervals;

(b) adequate number of bathrooms, toilets, washbasins, clean towels and soap shall be provided in the crèche;

(c) the crèche shall have first aid facility kept in proper condition under the supervision of trained female staff;

(d) there shall be a kitchen attached to the crèche with utensils and other facilities for boiling milk and preparing refreshments and like other things; and

(e) drinking water, milk and wholesome refreshments shall be available for the children at the crèche;

(viii) (a) In any establishment where there is a sole negotiating union under sub-section (2) or (3) of section 14 of the Industrial Relations Code, 2020 (35 of 2020) or a negotiating council under sub-section (4) of section 14 of the Industrial Relations Code, 2020 (35 of 2020), then, such negotiating union or negotiating council, as the case may be, may enter into an agreement with the employer of the establishment that the crèche facility under section 67 shall be provided, if women or widower or single parent employees, who are having children below the age of six years and eligible to get crèche facility and if not provided, then, such employee shall be paid crèche allowance every month by that establishment.

(b) Where there is no sole negotiating union or negotiating council referred to in sub-clause (a) the majority of the employees of the establishment may enter into an agreement with the employer of the establishment that the crèche facility under section 67 shall be provided, if women or widower or single parent employees, who are having children below the age of six years and eligible to get crèche facility and if not provided, then, such employee shall be paid crèche allowance every month by that establishment.

Provided that, in both cases under clause (a) and this clause, the amount of crèche allowance shall not be less than rupees five hundred per month per child or such amount as may be notified by the Central Government from time to time:

Provided further that the crèche allowance shall be admissible for two children only except when the number of children exceeds two due to second child birth resulting in multiple births.

38. Gross misconduct.–(1) The following acts shall constitute gross misconduct for the purposes of second proviso to sub-section (1) of section 68, namely:—

(a) wilful destruction of employer's goods or property;

(b) assaulting any superior or co-employee at the place of work;

(c) criminal offence involving moral turpitude resulting in conviction in a court of law;

(d) theft, fraud, or dishonesty in connection with the employer's business or property; and

(e) wilful non-observance of safety measures or rules on the subject or wilful interference with safety devices or with firefighting equipment.

(2) (a) An appeal under sub-section (2) of section 68 shall be preferred to the competent authority in Form-XII;

(b) The appeal may be made in writing and either handed over personally or sent under a registered cover or electronically to the competent authority.

(c) When an appeal is received, the competent authority shall furnish a copy of the memorandum of appeal to the employer, call for his reply thereto and also ask him to produce documents connected with the issue of the appeal by fixing a date.

(d) The competent authority may ascertain further details, if necessary, from the employer as well as from the appellant, and he shall consider the facts presented to him, if any, and shall give his decision.

Provided that the Competent Authority shall dispose of the appeal within three months from the date of receipt of the appeal:

Provided further that the Competent Authority may, for reasons to be recorded in writing, extend the said period for a further period not exceeding three months.

(e) In case the employer fails to submit his reply or produce the required documents within the specified period, the competent authority may give his decision *ex-parte.*

39. Complaint before Inspector-cum-Facilitator and appeal.–(1) (a) A complaint under sub-section (1) of section 72 shall be made in writing in Form-XIII-Ato the Inspector-cum-Facilitator having jurisdiction**.**

(b) When a complaint referred to in sub-rule (1) is received by an Inspector-cum-Facilitator, he shall examine the relevant records maintained by the employer in this behalf, examine any person employed in the establishment and take down necessary statement for the purpose of the enquiry and if he is satisfied that the maternity benefit or any amount has been improperly withheld or the woman employee is discharged or dismissed, he shall direct the employer to make the payment to the complainant or to the person claiming the payment under section 63, and pass such order as he deems fit, immediately but not exceeding period of 45 days.

(2) (a) An appeal against the decision of the Inspector-cum-Facilitator, shall lie to the competent authority.

(b) The aggrieved person shall prefer an appeal in writing to the competent authority in Form-XIII-B and file other supporting documents.

(c) When an appeal is received, the competent authority shall call record of the case from the Inspector-cum-Facilitator before fixing the date of hearing. The competent authority shall, if necessary, also record the statements of the aggrieved person, and of the Inspector-cum-Facilitator and seek clarification, if any is required.

(d) Taking into account the document(s), the evidence produced before him and the facts presented to him or ascertained by him, the competent authority shall give his decision.

Provided that the Competent Authority shall dispose off the appeal within three months from the date of receipt of the appeal.

Provided further that the Competent Authority may for reasons to be recorded in writing, extend the said period for a further period not exceeding three months.

40. Duties of Inspector-cum-Facilitator.–(1) (a) The competent authority shall be responsible for the administration of these rules within their respective areas notified by the Central Government.

(b) Every Inspector-cum-Facilitator shall discharge his duties within the area assigned to him by the Central Government and shall act under the supervision and control of the competent authority.

(c) Every Inspector-cum-Facilitator shall at each inspection of an establishment see—

(i) whether due action has been taken on every notice given under section 62;

(ii) whether the register of women employees referred to in rule 53 is correctly maintained;

(iii) whether there have been any cases of discharge or dismissal or notices of discharge or dismissal in contravention of the provisions of section 68 since the last inspection;

(iv) whether the provisions of sub-section (1) of section 59, sub-sections (5) and (6) of section 62, sections 64, 65, 66, 67, 69 and 71 have been complied with and whether amounts due have been paid within the time as per the relevant provisions of the Code and rules made by the Central Government;

(v) whether there have been any cases of deprival of maternity benefit or medical bonus as referred to in sub-section (2) of section 68; and

(vi) how far the irregularities pointed out at previous inspections have been remedied and how far orders previously issued have been complied with.

(d) Where an Inspector-cum-Facilitator observes any irregularity against the Code or the rules, he shall issue an order in writing electronically or otherwise to the employer asking the employer to rectify the irregularities within a period of fifteen days from the date of receipt of the order and report compliance to the Inspector-cum-Facilitator.

(2) The employer shall supply to every woman employed by him at her request free of cost copies of Forms-X, XI, XII, XIII-A and XIII-B.

(3) Nothing in sub-rule (2) of rule 35 and sub-rules (1) and (2) of rule 39 shall affect the right of a woman entitled to receive maternity benefit or any other amount due under the Code if she fails to submit a notice, appeal or complaint under the said rules, as the case may be, in a form specified for such purpose:

Provided that where a notice, appeal or complaint under the said rules has been submitted by a woman entitled to receive maternity benefit or any other amount due under the Code in a form other than the form specified for such purpose, the authority concerned may, within fifteen days of the receipt of such notice, appeal or complaint require the woman to submit the notice, appeal or complaint, as the case may be, in the form specified for such purpose.

(4) The abstract of the provisions of Chapter VI of the Code and the Central rules made there under required to be exhibited under section 71 shall be in Form-XIV, and shall be exhibited in such manner as the competent authority may require.

CHAPTER VII

SOCIAL SECURITY AND CESS IN RESPECT OF BUILDING AND OTHER CONSTRUCTION WORKERS

41. Collection and refund of cess.– (1) (a) Every employer, within sixty days from the date of commencement of his work or payment of cess, as the case may be, furnish to the assessing officer, information in Form-XV.

(b) Any change or modification in the information furnished under clause (a) shall be communicated to the assessing officer in Form-XV incorporating details of such modifications immediately but not later than thirty days from the date of affecting the modification or change.

(2) (a) The cess levied under sub-section (1) of section 100 shall be paid by an employer in advance, on the basis of his self-assessment duly certified by a chartered engineer at the time of approval or before the commencement of the work.

(b) For the purpose of self-assessment of cost of construction, the employer shall calculate the cost of construction work on the uniform rate or rates of construction as specified by respective State's Public Works Department (PWD) or the Central Public Works Department (CPWD) or any other schedule of rates applicable to such building or construction work or rates as per return or document submitted to the Real Estate Regulatory Authority for a building work (where Real Estate Regulatory Authority is applicable), applicable for that particular year in which the commencement of building or other construction work took place in Form-XVI.

(c) Notwithstanding the provisions contained in clauses (a) and (b), where the approval of a construction work by a local authority or such other authority notified by the State Government, as the case may be, is required, every application for such approval shall be accompanied by proof of online payment made in favour of the State Building Workers' Welfare Board for an amount of cess payable on the basis of self-assessment duly certified by the chartered engineer:

Provided that if the duration of the project is likely to exceed one year, the amount of cess payment may be for the amount of cess payable on cost of construction self-assessed to be incurred during one year from the date of commencement of the concerned building or other construction work and further payments of due cess shall be made as per the provisions of clause (b).

(d) Notwithstanding the provisions of clauses (a) and (b), where the levy of cess pertains to building or other construction work of a Government or of a public sector undertaking, such Government or the public sector undertaking shall deduct, or cause to be deducted, the cess payable at the notified rates from the bills paid for such works. This deducted cess shall be deposited with the respective State Building Workers' Welfare Board within a period of thirty days from the date of such deduction made along with the details of the construction work to the assessing officer of the area concerned.

(e) In case, there is any stoppage or reduction of building or other construction work, employer shall furnish the information in Form-XVII, to the assessing officer within sixty days of such stoppage or reduction of building or other construction work.

(f) Every employer on completion of building or other construction work, shall be required to submit a return in Form-XVIII, to the assessing officer within sixty days of each completed project.

(g) Advance cess paid under the aforementioned provision shall be adjusted in the final assessment order made by assessing officer.

(3) (a) The proceeds of the cess collected under sub-rule (2), shall be transferred by such Central or State Government office, public sector undertaking, local authority or such other authority notified by

the State Government, or assessing officer, as the case may be, in the bank account of the State Building Workers' Welfare Board, electronically through online payment system.

(b) The amount so collected shall be transferred to such Board's fund within thirty days of its collection through online payment system.

(c) The State Building Workers' Welfare Board shall periodically reconcile the amount of cess collected, with the concerned authorities of the State Government or Central Government or Public Sector Undertaking of the State Government or the Central Government or any such other authority, as specified by the appropriate Government.

(d) The State Building Workers' Welfare Board shall submit half-yearly report, to the State Government with a copy to the Central Government, on the amount of cess collected, cumulative and during the period, expenditure incurred during the period, number of live building or other construction workers, for such period and with such details, as specified by the Central Government.

(4) (a) The assessing officer, on receipt of information of return and cess paid from an employer in Form-XVIII, may conduct a scrutiny of such information furnished and, if he is satisfied about the correctness of the particulars so furnished, he shall make an order of assessment within a period not exceeding one hundred and eighty days from the date of receipt of such information, indicating the amount of cess payable by the employer and endorse a copy thereof to the employer and to the cess-collector and to the Building Workers' Welfare Board and despatch such order within five days of the date on which such order is made:

Provided that such scrutiny shall be done by the assessing officer only where the amount of cess based on self-assessment exceeds rupees ten lakhs:

Provided further that if the assessing officer fails to make the order of assessment within a period of one hundred and eighty days, the self-assessment shall be deemed to be final.

(b) The order shall, inter-alia, specify the amount of cess due, cess already paid by the employer or deducted at source and the balance amount payable and the date, consistent with the provision of sub-rule (2), by which the cess shall be paid to the cess collector.

(c) If on the scrutiny of information furnished by the employer in Form-XVIII, the Assessing Officer is of the opinion that employer has undervalued or miscalculated the cost of construction or has calculated less amount of cess payable, he shall issue notice to the employer for assessment of the cess.

(d) On receipt of such notice the employer shall furnish to the Assessing Officer a reply together with copies of documentary or other evidences in support of his claim, within thirty days of the receipt of the notice:

Provided that the Assessing Officer may, in the course of assessment afford an opportunity to the assessee to be heard in person, if he so requests to substantiate his claim.

(e) If the employer fails to furnish the reply within the stipulated period specified under clause (d) or where any employer fails to furnish information in Form-XVIII, the Assessing Officer shall proceed to make the assessment on the basis of the available records and other information incidental thereto.

(f) The assessing officer may, at any time while the work is in progress or in the process of assessment of cost of construction authorise an officer to make such enquiry at the work site or from documentary evidence or in any other manner as he may think fit for the purpose of estimating the cost of construction as accurately as possible.

(5) (a) Where the employer has deposited the cess in advance and the employer decides to withdraw from or foreclose the works or modifies the plan of construction thereby reducing the cost of construction undertaken or has been forced by other circumstances to call off the completion of the work undertaken, he may seek refund of the excess amount of advance cess paid by submitting information in Form-XVIIto the Assessing Officer giving details of such reduction or stoppage of work.

(b) The Assessing Officer, on receipt of information in Form-XVII from an employer shall make a scrutiny of such information furnished and, if he is satisfied about the correctness of the particulars so furnished, he shall make an order of assessment within a period not exceeding thirty days of receipt of such information.

(c) Following the assessment order made on receipt of Form-XVII as per clause (b), the assessing officer shall, wherever necessary, endorse a copy of the such assessment to the respective Building Workers' Welfare Board, cess collector and to such other persons as he thinks appropriate, for making the refund of excess cess as ordered in the assessment made under clause (b).

(d) The State Building Workers' Welfare Board shall, within thirty days of receipt of the endorsement from the assessing officer under clause (c), refund the amount specified in the order to the employer through electronic payment system in the bank account as per details furnished by the employer for that purpose.

(e) Where the appellate authority has modified the order of assessment reducing the amount of cess, refund shall be made within such time as may be specified in that order or in the manner and time as specified under clause (d).

42. Time limit for payment of cess and rate of interest.– (1) Date of payment of cess shall be the date on which the amount is deposited with the cess collector under clauses (a) and (b) of sub-rule (2) of rule41, or the date of deduction at source under clause (d) of sub-rule (2) of rule41, or the date on which the amount has been deposited with the local authority under clause (c) of sub-rule (2) of rule41, as the case may be.

(2) If any employer fails to pay any amount of cess payable under section 100, within such time as may be specified in the assessment order, such employer shall be liable to pay interest on the amount of cess, to be paid, at the rate of one percent per month or part thereof comprised in the period from the due date until the date of actual payment.

43. Penalty.–(1) An assessing officer, if it appears to him that an employer has not paid the cess within the date as specified in the assessment order or has paid less cess, including the cess deducted at source or paid in advance, shall issue a notice to such employer that it shall be deemed to be in arrears and such assessing officer may, after such inquiry as it deems fit, impose on such employer, a penalty not exceeding such amount of cess:

Provided that before imposing any such penalty, such employer shall be given a reasonable opportunity of being heard and if after such hearing the assessing officer is satisfied that the default was for any good and sufficient reason, no penalty shall be imposed on such employer.

(2) If any penalty is imposed on the employer or the notice for imposing the penalty is withdrawn, as mentioned in sub-rule (1), the assessing officer will pass a speaking order in this regard stating the reasons thereof. A copy of such order shall be endorsed to the employer, cess-collector and to the secretary, Building Workers' Welfare Board.

44. Appeal.– (1) An employer aggrieved by an order of the assessment made under sub-rule (4) of rule 41or by an order imposing penalty made under rule43, may file an appeal in Form-XIX against

such order, within ninety days of the receipt of such order, to the appellate authority as notified by the State Government in this regard.

(2) Such appeal, *inter alia*, shall be accompanied by—

(a) the order appealed against;

(b) a certificate from the cess collector to the effect that the amount of cess or penalty or both, as the case may be, relating to such appeal has been deposited;

Provided that the appellate authority may, for reasons to be recorded in writing, waive or reduce the amount to be deposited under rule 43 on application by the appellant.

(c) a non-refundable fee equivalent to one-half percent., but not exceeding rupees twenty five thousand of the amount in dispute or penalty or both, as the case may be, under such appeal;

(d) a statement of points in dispute; and

(e) documentary evidence relied upon.

(3) On receipt of the appeal, the appellate authority may, call details from the assessing officer or his statement on the basis of his assessment order appealed against, as such appellate authority may consider necessary for the disposal of such appeal.

(4) The appellate authority shall give the appellant an opportunity of being heard in the matter and dispose of the appeal as expeditiously as possible but not exceeding sixty days from the date of receipt of such appeal.

(5) On being satisfied on the quantum of cess the appellate authority shall confirm the order of the assessing officer or if in his opinion the assessment was wrong; or on the higher side shall modify the order of assessment or if in his opinion the assessment is on the lower side or if the basis of assessment is wrong, it shall remand the assessment order to the assessing officer along with his observations to rectify the error.

(6) An order remanded back under sub-rule (5) shall be disposed of by the assessing officer within thirty days in view of the observation made by the Appellate Authority:

Provided that, if the amount of cess is proposed to be enhanced the assessee shall be given an opportunity of being heard.

(7) If the appellate authority is of the opinion that the quantum of penalty imposed is on the higher side or not correctly made it shall suitably modify or set aside the order of the assessing officer, as he deems appropriate.

(8) The appeal under this rule shall be disposed of by making a speaking order and a copy of such order shall be sent to each of the appellant, the assessing officer and to the secretary, Building Workers' Welfare Board within five days of the date on which such order is made.

(9) An order in appeal, reducing the amount of cess, shall also ask the Secretary of the concerned Building Workers' Welfare Board to refund the excess cess stating clearly a specified time to the appellant.

(10) An order in appeal enhancing or reducing the amount of cess or penalty or both, as the case may be, shall also specify the date by which the amount of cess or penalty or both shall be paid or refunded.

(11) No appeal shall lie against the order of the appellate authority under this rule.

45. Registration of building worker.– (1) Every employer or the contractor shall be responsible to register such building workers eligible under this rule who are on their muster roll on the portal of the State Government or the State Building Workers' Welfare Board or the designated portal of the Central Government, within 30 days of the worker(s) becoming eligible, and such registration shall be seeded with Aadhaar and the Universal Account Number or any other such unique number generated through the designated portal of the Central Government.

(2) It shall be the responsibility of the State Building Workers' Welfare Board to provide a portal with the facility to the employers and contractor to register the eligible building workers on such portal. Further, the State Building Workers' Welfare Board shall also register any other eligible building worker within the geographical area of the State:

Provided that every such building worker has completed eighteen years of age and is less than sixty years of age and has been engaged in building or other construction work for not less than ninety days in the preceding twelve months.

(3) The designated Portal of the Central Government shall have the facility for enabling each of the State Building Workers' Welfare Board or the employer or the contractor of building or other construction work to have access for generating Universal Account Number or any other such unique number in respect of all eligible building workers and such State Board shall share details of the registered building workers with the designated Portal of the Central Government quarterly or at such periodicity as may be decided by the Central Government.

(4) The State Building Workers' Welfare Board or the employer or the contractor may utilise the services of the business correspondents of the Department of Posts or Common Service Centres or e-sewa kendras of the Central Government or the State Government or any such other agency as may be decided by the State Government or State Building Workers' Welfare Board for facilitating the registration, renewal or updation of particulars of eligible building workers.

(5) To facilitate the registration of eligible building workers, the Board referred to in sub-rule (1) may set up camps as may be required in the labour-intensive areas.

(6) Every registered building worker shall be issued a digital identity card bearing his photograph and other details as may be specified by the State Government or the Board referred to in sub-rule (1) which shall be downloadable from the portal of the State Government or such Board.

(7) Every building worker registered with the State Building Workers' Welfare Board, shall be entitled to receive the benefits provided by the Board from its fund during the validity period of such registration.

(8) The delivery of welfare schemes for the building workers may be done electronically using the registration number of the building worker and any cash assistance shall be given through direct benefit transfer only.

(9) In case a building worker moves from one State to another State, then, it shall be the responsibility of the employer or the contractor to obtain the unique registration number from the building worker and effect the requisite changes in respect of such worker on the portal of the State Building Workers' Welfare Board of the destination State within a period of thirty days of such worker joining the muster roll under such employer or contractor, and in case the building worker does not possess such unique registration number then the employer or the contractor shall register such eligible building worker as referred to in sub-rule (1).

(10) Where a building worker moves from one State to another State, and is registered under sub-rule (9), he shall be entitled to get such benefits as are applicable to the other building workers of the destination State from the Building Workers' Welfare Board of that State:

Provided that an eligible building worker on the muster roll of an employer or a contractor in the destination State shall not be denied benefits only because such employer or contractor has failed to update his registration on the portal of the destination State.

(11) Every State Building Workers' Welfare Board shall submit a report annually to the State Government with a copy to the Central Government in the form as may be specified by the Central Government for such purpose.

(12) The State Building Workers' Welfare Board shall provide a mechanism for redress of grievances of building workers including telephone helpline, registration, renewal, updation, portability and delivery of welfare schemes.

46. Benefits of beneficiary.–If any building worker has been a beneficiary for at least three years continuously immediately before attaining the age of sixty years, for the benefit applicable to such worker, the Central Government may formulate such schemes as may be notified by the Central Government under which such worker shall be eligible to get such benefit.

47. Recovery of due and exemption.– (1)For the purpose of recovery of sums due on account of unpaid cess, interest or overdue payment or, penalty under these rules, the assessing officer shall prepare a certificate signed by him, specifying the amount due and send it to the recovery officer of the district concerned who shall proceed to recover from the said employer the amount specified thereunder as if it were an arrear of land revenue or under any other such law prevailing in that State for such purpose.

(2) An assessing officer, for the purposes of section 103, may-

(a) enter any establishment where building or other construction work is going on only with the prior approval of the Secretary, State Building Workers' Welfare Board;

(b) make an inventory of materials, machinery or other articles lying at the workplace;

(c)enquire about the number of workers engaged in various activities;

(d) require the production of any concerned register or any other documents relevant to the assessment of cost of construction or number of workers employed;

(e)seize or take copies of any such records;

(f) make a general assessment of the stage of the construction work of the completed construction work;

(g) take measurement, notes or photographs; and

(h) exercise such other powers considered absolutely necessary for reasonable assessment of cost of construction.

(3) The assessing officer or any Inspector-cum-Facilitator under the Code, having come to know of violation of an obligation to furnish return, furnishing of false information, intentionally or wilfully evading or attempting to evade the payment of cess may make a complaint with evidence pertaining to such complaint to the State Government with a copy to the concerned State Building Workers' Welfare Board in writing.

(4) (a) Any employer or class of employers in a State seeking exemption under section 102 may make an application to the Director General of Labour Welfare, Ministry of Labour and Employment, Government of India, stating the details of works undertaken, name of the corresponding law in force in that State under which he is liable to pay cess for the social security and welfare measure of the construction workers and amount of cess actually paid along with the date of such payment and proof thereof. A copy of such application shall be endorsed to each of the assessing officer and the State Building Workers' Welfare Board concerned.

(b) On receipt of such application, the Central Government may, if it considers necessary, seek a report from the State Government concerned.

(c) On examining the grounds, facts and merits of such application the Central Government may, by notification, issue an order exempting the employer or class of employers, as the case may be, from payment of cess payable under the Code where such cess is already levied and payable under such corresponding law.

(d) Assessment proceedings shall be stopped by the assessing officer for a period of thirty days commencing from the date of the receipt of a copy of the application under clause (a) to him, or till the order of the Central Government under clause (c) is conveyed to an employer or class of employers who made the application under clause (a), whichever is earlier.

CHAPTER VIII

SOCIAL SECURITY FOR UNORGANISED WORKERS, GIG WORKERS OR PLATFORM WORKERS

48. Registration of unorganised workers, gig workers and platform workers.–(1) (a) Every unorganised worker, who has completed sixteen years of age shall be required to be registered under section 113, on the designated Portal of the Central Government.

(b) The eligible unorganised worker shall make an application for registration on a self-declaration basis, electronically, with Aadhaar and such other documents and in such form as specified by the Central Government, through general or special order, for that purpose.

(c) The Central Government, shall provide a facility such as mobile app or any other application facilitating the eligible unorganised workers to register themselves on the designated Portal of the Central Government. In order to avail the facility of self-registration, an unorganised worker, shall be required to establish his identity through Aadhaar and other documents as prescribed by the Central Government through general or special order.

(d) It shall be the responsibility of the appropriate Government to register their specific set of eligible unorganised workers within their geographical area of the State/UT or jurisdiction, as the case may be, on the designated Portal of the Central Government.

(e) On completion of registration, such eligible worker, if not already in possession of a Universal Account Number, shall be issued such a number or any other such unique number through the designated Portal of the Central Government.

(f) Every eligible registered unorganised worker shall be issued a digital identity card bearing his photograph and other details as specified by the Central Government for such purpose, through general or special order, and such digital card shall be downloadable from the designated Portal of the Central Government.

(g) In order to be eligible for any benefit under any scheme framed under the Code for unorganised workers, the appropriate Government may notify specific conditions for eligibility, as it deemed fit, in addition to registration on the designated Portal of the Central Government.

(h) The appropriate Government shall access the information from the designated Portal of the Central Government for delivery of benefits of the social security schemes to the eligible unorganised workers.

(i) The eligible unorganised worker, shall be required to update their particulars such as address, occupation, mobile number, skill or any other particulars from time to time, as may be specified by the appropriate Government and in the absence of such updation, any unorganised worker, may not be eligible to avail benefits of the social security schemes notified under the Code and applicable on him.

(j) The services of business correspondents of the Department of Posts, Common Service Centres or e-sewa kendras of the Central Government or the State Government or any other such agency as may be decided by the appropriate Government may be utilised for facilitating the registration, updation of particulars of, and delivery of welfare schemes for, unorganised workers.

(2) (a)Every gig and platform worker, who has completed sixteen years of age shall be required to be registered with Aadhaar and other documents as prescribed by the Central Government through general or special order, on self-declaration basis under section 113, on a portal designated for the purpose by the Central Government.

(b) Every aggregator shall, within forty five days from the commencement of these rules, share through Application Programming Interface (API) or other electronic modes, the details of gig and platform workers who are engaged with such aggregator on the designated Portal of the Central Government for the generation of a Universal Account Number or any other such unique number, if such worker is not already in possession of such number.

(c) Every aggregator engaging any new gig and platform worker shall register such worker on the designated Portal of the Central Government in real time or daily basis through Application Programming Interface (API) or other electronic modes. Every Aggregator shall also share the exit details of gig and platform worker registered with them on the designated Portal of the Central Government on a real time or daily basis through Application Programming Interface (API) or other electronic modes.

(d) Every eligible registered gig and platform worker shall be issued an identity card, digital or otherwise, bearing his photograph and other details as specified by the Central Government for such

purpose; and such digital card shall be downloadable from the designated Portal of the Central Government.

(e) In order to be eligible for any benefit under any scheme framed under the Code for gig and platform workers, the Central Government may notify specific conditions for eligibility through general or special order, in addition to registration on the designated Portal of the Central Government:

Provided that such eligible worker has been engaged as gig and platform worker for not less than ninety days with an aggregator, or in the case of multiple aggregators, not less than one hundred and twenty days, in the last financial year.

Explanation. – For the purposes of this sub-rule, –

(i) a gig and platform worker will be considered to be engaged with an aggregator for one day, if he has earned income, irrespective of the amount, for such work rendered with the aggregator on that calendar day;
(ii) in case of working with multiple aggregators, the days of engagement of a gig and platform worker shall be calculated across the aggregators in cumulative manner;
(iii) if a gig and platform worker is engaged with three aggregators on a particular calendar day, it shall count as three days.

(f) An eligible gig and platform worker shall include all such workers engaged by the aggregator directly or through associate company or holding company or subsidiary company or limited liability partnership or through a third party;

Explanation: For the purposes of this clause,

(i)‘associate company’ in relation to another company means a company as defined in clause (6) of section 2 of the Companies Act, 2013(18 of 2013).

(ii)‘holding company’ in relation to one or more other companies means a company as defined in clause (46) of section 2 of the Companies Act, 2013(18 of 2013).

(iii)’subsidiary company’ in relation to other company as defined in clause (87) of section 2 of the Companies Act, 2013(18 of 2013).

(iv) ‘limited liability partnership’ in relation to partnership means a limited liability partnership as defined in clause (n) of section 2 of the Limited Liability Partnership Act, 2008(6 of 2009).

(g) For facilitating updation of particulars of registered gig and platform workers, every aggregator shall share electronically the details of the gig and platform workers engaged with such aggregator, monthly or at such other periodicity and in such form as shall be specified on the designated Portal of the Central Government.

(h) In the absence of such updation, a gig and platform worker, may not be eligible to avail benefits of the social security schemes notified under the Code and applicable to him.

49. Implementation of schemes and refund of contribution.–(1) (a) The Central Government shall designate an officer or an agency, as the authority responsible to collect and expend the contributions from the aggregators.

(b) Such authority may seek any information as may be required from the aggregators for registration of gig and platform workers, formulation of suitable social security schemes under section 114 and implementation thereof.

(c) The contribution collected under section 114 shall be maintained as part of the Social Security Fund in a separate account meant for gig and platform workers as specified in sub-section (2) of section 141.

(*2*) If any aggregator fails to pay any amount of contribution payable under sub-section (4) of section 114, within such time as may be specified by the Central Government for such purpose, such aggregator shall be liable to pay interest on the amount of contribution, to be paid, at the rate of one per cent. for every month or part of a month comprised in the period from the date on which such payment was due till such amount is actually paid.

(*3*) (a) Every aggregator shall assess contribution payable under sub-section (4) of section 114 in Form-XX and pay provisional contribution as assessed in the designated account of the Social Security Fund, for the preceding year not later than the 30th June of the current year in which the contribution is payable:

Provided that if the aggregator is making the contribution payable on the basis of five per cent. of the amount paid or payable to gig and platform workers, then, this shall include all such workers engaged with the aggregator directly or through associate company or holding company or subsidiary company or limited liability partnership or through a third party.

(b) After finalisation of the audited statement of the account for the previous financial year as per the relevant provisions of the Income-Tax Act, 2025 (30 of 2025) or the Companies Act, 2013 (18 of 2013) or the Limited Liability Partnership Act, 2008(6 of 2009), each aggregator shall submit a final return in Form-XXI, detailing the provisional payment of contribution made along with the details of outstanding contribution, if any, paid by 31st October, of the current year in which the contribution is payable.

(c) In case of excess contribution, if any, paid by any aggregator, such aggregator shall claim the refund in Form-XXI of such excess amount. The authority designated by the Central Government in this regard shall scrutinize Form-XXI, as submitted by the aggregator and excess amount paid, if any, shall be refunded electronically in the bank account specified in Form-XXI, within a period not exceeding ninety days from the date of receipt of such claim.

(*4*) Any gig and platform worker registered under section 113 shall cease to be eligible for the benefits of social security schemes, when he attains the age of sixty years or when he is not engaged as gig and platform worker, with any of the aggregators for a period not less than ninety days, or in case of multiple aggregators, for a period not less than one hundred and twenty days in the last financial year.

(*5*) Every aggregator shall register on the designated Portal or any other portal, as may be specified by the Central Government for such purpose.

CHAPTER IX

FINANCE AND ACCOUNTS

50. Rules under section 120.–The conditions to acquire, hold, sell or otherwise transfer any movable or immovable property under sub-section (1), conditions to invest moneys, re-invest or realise investments under sub-section (2), terms to raise loans and take measures for discharging such loans under sub-section (3) and terms to constitute for the benefit of officers and staff or any class of them, provident or other benefit fund under sub-section (4), of section 120 shall be–

(a) in case of the Provident Fund, Pension Fund or Insurance Fund, as specified respectively in the Provident Fund Scheme, Pension Fund Scheme and Insurance Fund Scheme; and

(b) in case of the Corporation, as specified in Chapter IV and under this Chapter.

51. Conditions for writing off irrecoverable dues.– (1) Where the Corporation or the National Social Security Board is of the opinion that the amount of contribution, cess, interest and damages due to the Corporation or the National Social Security Board, as the case may be, have become irrecoverable, the Corporation or National Social Security Board or any other officer authorised by it in this behalf may sanction the writing off of the said amount, subject to the following conditions, namely: —

(i) that the concerned establishment has been closed for more than five years and the whereabouts of the employer of such establishment cannot be ascertained, despite all possible efforts;

(ii) that the decree obtained by the Corporation or the National Social Security Board could not be executed successfully for want of sufficient assets of the defaulting employer; or

(iii) that the claim for contribution is not fully met by —

(a) the official liquidator in the event of the factory or establishment having gone into liquidation; or

(b) the Commissioner of payments in the event of unit being nationalised or taken over by the Government.

(2) In case of the Provident Fund, Pension Fund or Insurance Fund, such writing off shall be specified in the Provident Fund Scheme or Pension Scheme or Insurance Scheme, as the case may be.

52. Account and annual report.–(1) The Corporation shall maintain complete and accurate accounts in such form as the Standing Committee thereof may, with the approval of the Central Government, specify from time to time and the books shall be balanced on the thirty-first day of March each year.

(2)The Corporation shall prepare revenue accounts for the financial year ended on the thirty-first March and a balance sheet as on the thirty-first March by the thirty-first of May:

Provided that on the application of the Corporation, the Central Government may extend the said date by a period not exceeding thirty days:

Provided further that the Corporation may, and if so required by the Central Government shall, cause to be prepared the revenue accounts and the balance sheet for any other period or as on any other date.

(3)The annual accounts shall be set out and produced before the Comptroller and Auditor General of India for scrutiny on or before the fifteenth of June of each year following the close of the financial year to which they relate:

Provided that on the application of the Corporation, the Central Government may extend the said date by a period not exceeding thirty days.

(4)The Corporation shall submit all accounts to the Comptroller and Auditor General of India as required by him and the Comptroller and Auditor General of India may —

(i) by written notice, require the production before him or before any officer subordinate to him, of any document which he may consider necessary for the proper conduct of his audit;

(ii) by written notice, require any person accountable for or having the custody or control of, any such documents, to appear in person before him or before any officer subordinate to him; and

(iii) require any person so appearing before him or before any officer subordinate to him to make and sign a declaration with respect to such document or to answer any question or prepare and submit any statement desired by him or such officer.

(5) The report of the Comptroller and Auditor General of India on the annual accounts shall be submitted to the Corporation on such date and in such form as the Central Government may specify in this behalf and in the report it shall be stated whether in their opinion the balance sheet is a full and fair balance sheet containing all necessary particulars and properly drawn up so as to exhibit a true and correct view of the state of the Corporation's affairs and in case they have called for any explanation or information from the Corporation or any of its officers whether it has been given and whether it is satisfactory or not.

(6)(a) The annual report on the work and activities of the Corporation (excluding the unaudited accounts for the year incorporated therein) shall be considered by the Standing Committee thereof and shall be placed for adoption at a meeting of the Corporation to be held before the tenth of December following the close of the said financial year.

(b)The annual accounts relating to a financial year duly authenticated by the Financial Commissioner of the Corporation and the Director General and approved by the Standing Committee of the Corporation shall be submitted for audit to the Comptroller and Auditor General of India and the audited accounts together with the report of the Comptroller and Auditor General of India thereon shall be placed for adoption at a meeting of the Corporation to be held before the tenth of December following the close of the said financial year:

Provided that the report of the Comptroller and Auditor General of India shall be received by the twentieth of November, following the year to which it pertains.

(7) The annual accounts together with the report of the Comptroller and Auditor General of India thereon and the annual report on the work and activities of the Corporation as adopted by the Corporation shall be authenticated by affixing the common seal of the Corporation and four copies thereof, together with the comments of the Corporation on the report of the Comptroller and Auditor General shall be submitted to the Central Government not later than the twentieth of December following the close of the financial year concerned for being placed before the Parliament:

Provided that if the report of the Comptroller and Auditor General of India is not received by the twentieth of November following the financial year to which it pertains, the annual accounts together with the report of the Comptroller and Auditor General of India thereon shall be submitted to the Central Government separately from the annual report on the work and activities of the Corporation.

(8) The cost of audit shall be paid by the Corporation by such date as may be specified by the Central Government.

(9)(a)The auditors shall submit to the Corporation and the Central Government a separate statement, if necessary, in regard to —

(i) any material impropriety or irregularity which he may observe in the expenditure, or in the recovery of money due to, or in the accounts of the Corporation; or

(ii) any loss or waste of money or other property owned by or vested in the Corporation which has been caused by neglect or misconduct, with the names of the persons who in their opinion are directly or indirectly responsible for such loss or waste.

(b)The Standing Committee shall forthwith remedy any defect or irregularity that may be pointed out by the auditors and shall report to the Central Government the action taken by it thereon within a period of ninety days of the receipt of the report of the auditors:

Provided that if there is a difference of opinion between the Standing Committee and the auditors, or if the Standing Committee does not remedy any defect or irregularity within a reasonable period, the Central Government may, and on a reference specifically made therefor, shall pass such orders thereon as it thinks fit and the Standing Committee shall thereafter take action in accordance therewith within such time as may be specified by the Central Government.

(10) (a)The Standing Committee or any authority authorised by it in this behalf may after giving the person concerned an opportunity to submit an explanation, and after considering any such explanation, disallow any item of account contrary to the provisions of the Code or of the Rules or Regulations made thereunder, and surcharge the same on the person making or authorising the making of payment of such account and shall charge against any person accounting, the amount of any deficiency or loss incurred by the negligence or misconduct of that person, or of any sum which ought to have been but is not brought into account by that person, and shall in every such case certify the amount due from such person:

Provided that no certificate made by the authority authorised by the Standing Committee shall have effect unless it is approved by the Standing Committee.

(b) The Standing Committee shall state in writing its reasons for every disallowance, surcharge or charge made or approved by it and shall serve a certificate of the amount due and a copy of the reasons for its decision on the person against whom the certificate is made and shall also furnish copies thereof to the Central Government.

(c) Any person aggrieved by a certificate made under sub-rule (10) may, within one month from the date of the service of certificate on him under clause (b) sub-rule (10), file an application to the Central Government for setting aside or modifying the disallowance, surcharge or charge in respect of which the certificate was made.

(d) On receipt of an application under clause (c) or on its own motion, the Central Government may, after making such inquiry as may be necessary, pass such order as it thinks fit either confirming, modifying or setting aside the disallowance, surcharge or charge in respect of which the certificate was made, and the Standing Committee shall thereupon take action in accordance with such order within such time as may be specified by the Central Government.

(e) The Central Government may by order direct that all further action under the certificate made under sub-rule (10) shall be stayed until the disposal of the matter pending before it under clause (d).

(11) *(a)* Every sum certified to be due from any person by the Standing Committee or if the certificate has been modified by the Central Government, the sum shown to be due from such person in the modified certificate, shall be paid by such person to the Corporation within three months after he has been served with the certificate of the Standing Committee ; or within such longer period as may be allowed by the Central Government; and any such sum, if not so paid, shall be recovered as arrears of land revenue.

(b) Any sum or part of a sum so paid or recovered, the certificate in respect of which is set aside or modified, shall, as the case may require, be wholly or partly refunded to the person who paid it.

(12) The Corporation shall establish, maintain and contribute to a Provident Fund called the Employees' State Insurance Corporation Provident Fund (hereinafter referred to as the Provident Fund) in respect of its employees other than those whose services are placed at the disposal of the Corporation by the Central Government or State Government.

(13) The Provident Fund shall be administered by the Standing Committee of the Corporation or by any other Committee approved by it for the purpose and subject to such conditions as it may deem fit to impose.

(14) The Corporation may make regulations under clause (1) of section 157 of the Code to provide for all other matters incidental to or necessary for the Provident Fund.

(15) Where an Insured Person is convicted under clause (o) of section 133, he shall not be entitled to any cash benefit admissible under Chapter IV of the Code for a period of three months for first conviction and six months for each subsequent conviction from the date of receipt of judgment of the court in the concerned office of the Corporation.

CHAPTER X

AUTHORITIES, ASSESSMENT, COMPLIANCE AND RECOVERY

53. Form and manner for maintenance of records and registers etc.–(1) (a) the employer of every establishment shall maintain, register –

(i) of employees in Form – I of the Wages (Central) Rules, 2026;
(ii) of attendance-cum-muster roll in Form - IX of the Wages (Central) Rules, 2026;
(iii) of wages, overtime, advances, fines and deductions for damages and losses in Form – IV of the Wages (Central) Rules, 2026;
(iv) of women employees in Form – XXII.

Provided that in respect of establishment which is governed by the Code on Wages, 2019(29 of 2019) or the Code on Occupational Safety, Health and Working Conditions, 2020 (37 of 2020) and rules made thereunder maintain the registers specified in clause (i), (ii) and (iii) which shall be deemed to be maintained by the employer under these rules also;

(b) registers under this Chapter shall be maintained electronically or otherwise;
(c) entries in the registers shall be made in English and Hindi or the language understood by a majority of persons employed;
(d) every employer shall produce records and registers, on demand before the Inspector-cum-Facilitator or any person authorised in that behalf by the Central Government;
(e) all the registers and other records shall be preserved in original for a period of five calendar years from the date of last entry made therein.

(2) Every employer shall issue wage slips, electronically or otherwise to the employees under clause (c) of section 123 on or before payment of wages in Form – V of the Wages (Central) Rules, 2026.

(3) All registers and other records required to be maintained under the Code and the rules made thereunder shall be maintained complete and up-to-date and unless otherwise provided by the Central Government, shall be kept at an office or the nearest convenient building within the precincts of the workplace or at a place within a radius of three kilometres therefrom.

(4) The employer shall display conspicuously a notice at or near the main entrance of the establishment in bold letters in English, Hindi and in a language understood by the majority of the

employees specifying the name of the officer with designation authorised by the employer to receive, on his behalf, notices under the Code or the rules made therein.

(5) (a) The employer to which the provisions of Chapter V and Chapter VI of the Code apply, on or before the 28th or 29th day of February in each year, upload a unified annual return in Form-XXIII online on the web portal of the Central Government in the Ministry of Labour and Employment, giving information as to the particulars specified, in respect of the preceding year:

Provided that during inspection, the Inspector-cum-Facilitator may require the production of accounts, books, registers and other documents maintained in electronic form or otherwise.

Explanation.- For the purposes of this sub-rule, the expression "electronic form" shall have the same meaning as assigned to it in clause (r) of section 2 of the Information Technology Act, 2000 (21 of 2000).

(b) If the employer to whom the provisions of Chapter V and Chapter VI of the Code apply, sells, abandons or discontinues the working of the establishment, then, he shall, within one month of the date of such sale or abandonment or four months of the date of such discontinuance, as the case may be, upload online, on the web portal of the Central Government in the Ministry of Labour and Employment, a further unified return in Form XXIII referred to in clause (a) of sub-rule 5 in respect of the period between the end of the preceding year and the date of such sale, abandonment or discontinuance, as the case may be.

CHAPTER XI

OFFENCES AND PENALTIES

54. Compounding of offences.–(1) The officer authorised by the Central Government, (hereinafter in this rule referred to as the "compounding officer") by notification, for the purposes of compounding of offences under sub-section (1) of section 138 shall issue electronically a compounding notice in Form-XXIV for the offences which are compoundable under section 138.

(2) The person so noticed under sub-section(1) may apply in Part III of the Form-XXIV to the officer electronically and deposit the entire compounding amount by electronic transfer or otherwise, within fifteen days of the receipt of the notice.

(3) The Compounding Officer shall issue a composition certificate in Part IV of Form-XXIV within ten days of receipt of the composition amount, to such person from whom such amount has been received in satisfaction of the composition notice.

(4) If a person so noticed fails to deposit the composition amount within the time specified by the Officer, the prosecution shall be instituted after one month from the last date of specified time before the Competent Court against such person for the offences in respect of which the compounding notice was issued.

(5) For the compounding of an offence after the institution of prosecution in a Competent Court in respect thereof, the provisions of sub-section (6) of section 138 shall apply.

CHAPTER XII

EMPLOYMENT INFORMATION AND MONITORING

55. Establishment and maintenance of career centre.– (1) The appropriate Government may establish, run and maintain a career centre or modify and declare its already established office or employment exchange, or both or a portal or authorise any other such centre as career centre, by notification. Until such notification is made, existing local Employment Exchanges and Central Employment Exchanges shall function as career centres (Regional) and career centres (Central) respectively.

(2) The appropriate Government may also enter into an agreement with any institution, local authority, local body or private body for running a career centre.

(3) The career centres established under sub-rules (1) and (2) above shall, inter-alia, perform the following functions, namely:–

(a) collection and furnishing of information, either by the keeping of registers or otherwise, manually, digitally, or virtually as may be notified by Central Government from time to time**,** relating to -

(i) persons who seek to employ employees;
(ii) persons who seek employment;
(iii) occurrence of vacancies; and
(iv) persons who seek vocational guidance and career counselling or guidance to start self-employment;

(b) providing career counselling and vocational guidance;

(c) organising job-fairs and job drives;

(d) employment related surveys and studies;

(e) employability enhancement activities; and

(f) other services as may be decided by the appropriate Government from time to time.

Explanation.– For the purposes of this chapter, appropriate Government shall be Central Government for Career Centre (Central) and respective State Government for career centre (Regional).

56. Reporting of vacancies and result of selection etc.–(1) (a) on the commencement of the Code, the employer in every establishment in public sector in any State or area shall, before filling up any vacancy in any employment in that establishment, report that vacancy or cause to be reported to such career centre as may be specified by notification, made by the appropriate Government;

(b) the employer in every establishment in private sector or every establishment pertaining to any class or category of establishments in private sector shall, before filling up any vacancy in any employment in that establishment, report that vacancy or cause to be reported to such career centre (Regional) from such date as may be specified in the notification made by the appropriate Government;

(c) appropriate Government shall provide a digital mechanism for receipt of vacancies reported by the employers and career centre to which the vacancies are to be reported, which shall generate a unique vacancy reporting number for the vacancy reported and convey it to the employer digitally or through any other such media immediately but not later than seven working days from the date of receipt of reporting of vacancies in north-eastern States and three working days in other States:

Provided that time limit of three working days may be further extended up to seven working days by the appropriate Government, through notification, keeping in view the geographical conditions or other local needs;

(d) Career Centre (Regional) shall share all information collected by it in writing, through email or digitally or through any other such media, as may be notified by central government from time to time, to the Career Centre (Central) in the Form-XXV, Form-XXVI and Form-XXVI (A).

(e) The State Government shall furnish to the Career Centre (Central) the details of any newly established Career Centre (regional) or of the closure of any existing Career Centre (regional) within 15 days from the date of such establishment or closure, along with the jurisdictional details of such Career Centre (Regional), so established or closed, as the case may be.

Explanation.–For the purposes of this rule, –

(A) "establishment in public sector" means an establishment owned, controlled or managed by-

(i) the Government or a Department of the Government;

(ii) a Government company as defined in clause (45) of section 2 of the Companies Act, 2013 (18 of 2013);

(iii) a corporation (including a co-operative society) or an autonomous organisation or an authority or a body established by or under a Central or State enactment, which is owned, controlled or managed by the Government; and

(iv) a local authority.

(B) "establishment in private sector" means an establishment which is not an establishment in public sector and with 20 or more employees or such number of employees as may be notified by the Central Government are employed therein.

(C) Any State Government, having no career centre or digital portal of its own, may specify, by notification, reporting of vacancies by establishments in an area thereof to the digital portal or to the Career Centre of the Central Government.

(2) (a) The following vacancies, namely:–

(i) all vacancies in posts of Technical and Scientific nature carrying a minimum pay or pay level or both as notified by the Central Government, occurring in establishments in respect of which the Central Government is the appropriate Government under the Code; and

(ii) vacancies which an employer may desire to be circulated to the career centres outside the State or Union territory in which the establishment is situated;

shall be reported to such career centre (Central) as may be specified by the Central Government, by notification:

(b) vacancies in establishments having branches in more than one State or Union Territory, where the employer seeks to fill such vacancies across multiple locations, may, at the option of the employer, be reported either centrally to the Career Centre (Central) or separately to the respective Career Centres (Regional), as may be specified by the appropriate Government.

(c) vacancies other than those specified in clause (a), shall be reported to the career centre (Regional) concerned.

(3)(a) The vacancies shall be reported in writing or through official email or digitally, as may be notified by Central Government from time to time, to the career centre specified by the appropriate Government.

(b)The vacancies shall be reported in the Form-XXV, furnishing as many details as practicable, separately in respect of each type of vacancy.

(c) Any change in the particulars already furnished to the career centre under clause (a) of sub-rule (3), shall be reported in writing or through official email or digitally, as the case may be, as may be notified by Central Government from time to time, to the specified career centre.

(4)(a) Vacancies, required to be reported to the career centre (Regional), shall be reported at least fifteen days before the last date of receipt of the applications.

(b) Vacancies required to be reported to the career centre (Central) shall be reported at least forty days before the last date of receipt of the applications.

(c) The employer shall furnish the information relating to the result of selection to the concerned career centre against the vacancies reported within thirty days from the date of selection.

(5) (a) On commencement of the Code, the employers of every establishment in the public sector in any State or area shall maintain records manually or electronically or digitally about –

(i) total number of employees (regular, contractual or fixed term employment) on 31st March of every year;
(ii) persons recruited during the year ending on 31st March;
(iii) occupational details of its employees on 31st March of every year;
(iv) vacancies for which suitable candidates were not available during the year ending on 31st March; and
(v) approximate number of vacancies likely to occur during the next financial year.

(b) Appropriate Government may, through notification, direct that from such date as may be specified in the notification, the employer of every establishment in private sector or every establishment pertaining to any class or category of establishment in private sector shall maintain records manually or electronically or digitally about –

i. total number of employees (regular, contractual or fixed term employment) as on 31st March of every year;
ii. persons recruited during the year ending on 31st March;
iii. occupational details of its employees as on 31st March of every year;
iv. vacancies for which suitable candidates were not available during the year ending on 31st March; and
v. approximate number of vacancies likely to occur during the next financial year.

(6) An employer shall furnish to the concerned Career Centre (Regional) yearly returns in Form-XXVI (Employment Information Return) and yearly returns shall be furnished manually or, electronically, or digitally, as the case may be, as specified by the respective State Government by notification, within thirty days of the due date, namely, 31st March of the year.

(7) (a) the Director of Employment or officer of equivalent or higher rank, controlling the work of career centres (Regional) of the respective State Government, will declare in writing an officer, who is looking after the work of career centres (Regional) as Executive Officer for each district for the purpose of enforcement or implementation of Chapter XIII (Employment Information and

Monitoring) of the Code and such officer shall exercise the rights and perform duties referred to in section 139, or authorise any person in writing to exercise those rights and perform duties;

(b) the Director of Employment or an officer of equivalent or higher rank, controlling the work of Directorate General of Employment, Ministry of Labour and Employment, New Delhi, will declare in writing an officer, who is looking after the work of career centres (Central) as Executive Officer for the purpose of enforcement or implementation of Chapter XIII (Employment Information and Monitoring) of the Code. Such officer shall exercise the rights and perform duties referred to in section 139.

(8)For implementation of provisions of Code relating to Chapter XIII and rules thereof, the Central Government may issue detailed guidelines explanatory in nature which shall be supplemented further by the respective State Government as per local needs.

CHAPTER XIII

EMPLOYEE'S COMPENSATION

57. Rate of interest payable by employer under clause (*a*) of sub-section (*3*) of section 77.-If the amount of compensation payable under sub-section (3) of section 77 is not paid by the employer within the period of thirty days, the employer shall pay, from the date on which the compensation becomes payable to the date on which it is paid, simple interest at the rate of twelve per cent. per annum or any other rate notified by the Central Government from time to time.

58. Manner of notice under sub-section (1) and the manner of transmitting money under sub-section (3), of section 92.- (1) No application under section 92(1) shall be processed before or by a competent authority other than the competent authority having the jurisdiction over the area in which the accident took place without his giving notice in Form-XXIX electronically or otherwise to the competent authority having jurisdiction over the area in which accident occurred and the State Government concerned.

(2) Money transmitted by one competent authority to another in accordance with sub-section (3) of section 92 shall be transmitted either by remittance receipt or by e-transfer or by net banking or by Demand Draft, as the competent authority transmitting the money may direct.

59. Form, manner and fee for application for claim or settlement under sub-section (*3*) of section 93.- (1) The applicant may send any application of the nature referred to in section 93 to the competent authority by speed post (with registration) or electronically or may be presented to him or to any of his subordinates authorised by him in this behalf, and, if so sent or presented, shall, unless the competent authority otherwise directs, be made in duplicate in Form-XXVII, if any, and shall be signed by the applicant.

(2) There shall be appended to every such application a certificate in Form-XXVIII, which shall be signed by the applicant to the effect that the statement of facts contained in the application is to the best of his knowledge and belief, accurate.

(3) When the application for relief is based upon a document, the document shall be appended to the application.

60. Rules to give effect to arrangements with other countries for transfer of money paid as compensation under section 159.-(1) When any sum is transmitted by any competent authority in India to any other competent authority in accordance with these rules by remittance transfer receipt or

by e-transfer or by net banking or by demand draft, the competent authority which transmits the sum may, deduct the costs of such transmission from the sum so transmitted.

(2) When the whole or any part of a lump sum deposited with a competent authority for payment as compensation under the Code is payable to any person or persons residing or about to reside in any other country, the competent authority may order the transfer to that country of the sum so payable.

(3) When the competent authority has ordered the transfer of any sum under sub-rule (2), he shall cause to be prepared and shall certify under his hand a memorandum containing a brief statement of the facts of the case, of the orders passed upon it and of the name and address of each person to whom payment is to be made.

(4) If the competent authority is not himself the Authorised Officer he shall forward the memorandum in duplicate to the Authorised Officer and may either remit the sum to be transferred to the Authorised Officer or retain it and dispose of it in accordance with the directions of the Authorised Officer.

(5) If the competent authority is himself the Authorised Officer, he shall proceed as provided in sub-rule (6).

(6) The Authorised Officer, after satisfying himself that the memorandum is complete, shall forward it and remit or cause to be remitted the sum to which it relates by such means of safe transmission as he may consider convenient to the authority appointed in this behalf for the country to which the sum is to be transferred, or if no such authority has been appointed, to such authority as the State Government may, by general or special order, direct, and shall at the same time request the authority addressed—

(a) to arrange for payment to be made in accordance with the directions contained in the memorandum; and

(b) to furnish him with a report of the action taken upon the memorandum and return any sum the payment of which is for any reason impossible.

(7) (a) The Authorised Officer shall, if he is not the competent authority with whom the matter originated, forward to such competent authority a copy of any report received in response to a request made under sub-rule (6).

(b) Any sum returned in accordance with sub-rule (6) shall be disposed of in accordance with the Code.

(8) (a) The Authorised Officer shall be the proper authority to receive moneys from transferring authorities.

(b) If any competent authority or other Government servant, not being the Authorised Officer, receives any sum from a transferring authority he shall either forward such sum, together with any papers relating thereto, to the Authorised Officer for disposal or obtain the instructions of the Authorised Officer as to the disposal of the sum and papers and act in accordance with his instructions.

(9) The Authorised Officer may himself dispose of any sum or part of any sum which he receives or of which he assumes control under sub-rule (8) or may send it or any part of it for disposal to such competent authority or competent authorities as he considers proper.

(10) All sums received from a transferring authority shall be disposed of as far as possible in accordance with the provisions of the Code and the rules made there under:

Provided that the directions, if any, received from the transferring authority as to the manner in which the sum should be administered shall be complied with.

(11)(a) The Authorised Officer shall forward to the transferring authority a report showing how the sum received from him has been disposed of.

(b) Any competent authority, not being the Authorised Officer who has disposed of any part of the sum, shall make a report in duplicate as to the disposal of that part to the Authorised Officer, and, if the sum was received by him from another such competent authority in accordance with section 92 of the Code, shall forward his report through that competent authority.

(12) Any part of the sum received from the transferring authority which shall have remained undisbursed after the completion of the proceedings shall be returned to the transferring authority by, or under the direction of the Authorised Officer.

61. Proceedings after transfer of matters. - The competent authority under clause (b) or clause (c) of sub-section (1) of section 92 may initiate the proceedings afresh or he may continue the previous proceedings initiated under clause (a) of sub-section (1) of section 91 as if the same or any of its part had been taken before him if he is satisfied that the interest of the parties shall not thereby be prejudiced.

62. Transfer of records or money.-(1) If any matter under the Code is required to be processed before or by a competent authority other than the competent authority having jurisdiction over the area in which the accident took place the former may for the proper disposal of the matter call for in Form-XXX a detailed report including transfer of any records or money remaining with the latter and on receipt of such a request he shall comply with the same:

Provided that if any further enquiry is necessary in the area in which the accident took place for framing of issues or for determining the amount of compensation, the competent authority, before whom the application has been filed, may require the competent authority of the area in which the accident took place to conduct such enquiries and to serve such notices or orders as may be necessary for the purpose of such enquiries.

(2) Money deposited with one competent authority under section 81 shall be transmitted to another competent authority either by remittance transfer receipt or by e-transfer or by net banking or by demand draft.

63. Every employer shall at the time of employment of an employee, inform the employee of his right to compensation under the Code, in writing and by electronic means, in English or Hindi or in the official language of the area of employment, which is known to the employee.

CHAPTER XIV

MISCELLANEOUS

64. Establishment and administration of Social Security Fund.– (1) All the following funds received shall be credited to separate account(s) and called as Social Security Fund and all expenses towards the scheme notified under sections 109 and 114 for the Unorganised Workers, Gig Workers or Platform Workers shall be met out of the following Fund, namely –

(a) under sub-section (1) of section 141 of the Code on Social Security, 2020 (36 of 2020); and

(b) under sub-section (1) of section 115 of the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020).

(2) The Central Government shall identify the sources for initial funding or replenishing the Social Security Fund from time to time.

(3) The Fund shall be administered by the Central Government through an agency designated by the Central Government in the manner, as specified by the Central Government.

(4) Directions of the Central Government, if any, shall be complied with by the agency designated for the administration of the Social Security Fund.

(5) The Statement of accounts of the Social Security Fund shall be maintained by the agency, in the form and manner as specified by the Central Government and shall be submitted to the Central Government from time to time.

(6) The accounts of the Social Security Fund shall be audited by the Comptroller and Auditor General of India.

65. Eligibility conditions for grant of exemption.– (1) An establishment, to be eligible to seek exemption under section 143 shall be required to fulfil the following conditions, prior to grant of exemption, namely: -

(a) the employees of such establishment are in receipt of benefits substantially similar or superior to the benefits granted in the schemes framed under Chapter III or the benefits available under Chapter IV, as the case may be, of the Code;

(b) the establishment seeking exemption shall make an application electronically or otherwise;

(c) the establishment has been complying with the provisions of Chapter III of the Code or the Employees' Provident Funds and Miscellaneous Provisions Act, 1952 (19 of 1952); or, the provisions of Chapter IV of the Code or the Employees' State Insurance Act, 1948 (34 of 1948), as the case may be, for a continuous period of three years immediately before making the application and has not defaulted in payment of contribution payable under the respective Chapters during such period;

(d) the establishment seeking exemption under section 143 shall have minimum five hundred contributory members for the purposes of Chapter III of the Code or minimum five hundred employees for the purposes of Chapter IV of the Code, as the case may be, on the date of such application;

(e) the establishment seeking exemption from the provisions of the Provident Fund Scheme or the Pension Scheme framed under section 15 shall have a cumulative balance in members account of rupees fifty crore or more in respect of the Scheme from which exemption is sought;

(f) for the purposes of the Chapter III, the establishment shall furnish consent of majority of the employees for seeking exemption under section 143;

(g) the establishment seeking exemption should have a positive net worth during each of the last three years before the date of application;

(h) the establishment must have seeded the Aadhaar number of each member in the respective member's account for the purposes of Chapter III or that of each of insured person and his or her family members for the purposes of Chapter IV, as the case may be, of the Code in the respective database; and

(i) for the purposes of Chapter III of the Code, the establishment shall provide facilities for online claim settlement and has an online portal for grievance resolution to provide linkages with that of Employees' Provident Fund Organisation within ninety days of grant of exemption.

(2) The notification granting exemption under section 143 shall be issued so as to take effect from the date of the notification and shall contain the other terms and conditions to be complied with by the establishment and /or the employer, as the case may be.

(3) (a) The application for extension of exemption under section 143 shall be made on specified portal, at least six months before expiry of exemption.

(b) The exemption granted to an establishment from the provisions of Chapter IV shall be extendable by the appropriate Government for a period of five years at a time, subject to the condition that the establishment continues to fulfil the relevant conditions in specified sub-rule (1) of rule 65 except that in clause (d) of sub-rule (1).

(c) No exemption under the provisions of Chapter IV shall be extended without prior consultation of the Corporation.

(d) The Corporation shall submit its views to the appropriate Government within three months of receipt of application failing which the appropriate Government shall decide on the extension of exemption, as it may deem fit.

(e) The exemption granted in respect of the Provident Fund Scheme or the Pension Scheme or the Insurance Scheme, as the case may be, may be extended for such period and on such terms and conditions as may be specified in the respective Schemes.

66. Time limit for Central Board or Corporation to provide views on application for exemption. –The Central Board or the Corporation, as the case may be, shall forward its views on the application seeking exemption under section 143 to the appropriate Government within six months of receipt of proposal for exemption. If the Central Board or the Corporation, as the case may be, is unable to provide its views within the said period, the appropriate Government may extend the time limit or take action on the application for exemption, as it may deem fit.

67. Terms and conditions for compliance of exempted establishment.–(1) The establishment to which exemption has been granted from the provisions of Chapter IV of the Code –

(a) shall maintain such records regarding the exempted employees and submit such returns and other information to the Corporation as may be specified in the regulations made under section 157; and

(b) in case of change of legal status of an establishment which has been granted exemption under section 143, due to merger, demerger, acquisition, sale, amalgamation, formation into a subsidiary, whether wholly owned or not, etc., the exemption shall be deemed to be cancelled and the establishment shall be required to apply afresh for exemption to the appropriate Government.

(2) For the purposes of Chapter III, the establishment and/or employer, after the grant of exemption, shall comply with all such terms and conditions as may be specified in the Provident Fund Scheme or the Pension Scheme or the Insurance Scheme, as the case may be, framed under section 15.

68. Terms and conditions for management of trust.–(1) A Board of Trustees shall be established for the management of the Provident Fund or the Pension Fund according to such directions as may be given by the Central Government or the Central Provident Fund Commissioner, as the case may be, from time to time.

(2) The Board of Trustees shall consist of such equal number of representatives each of the employers and employees as may be specified in the Provident Fund Scheme or the Pension Scheme, as the case may be.

(3) The employer of such exempted establishment shall be the Chairperson of the Board of Trustees and the Chairperson may exercise a casting vote in the event of equality of votes and arm's length principles shall be maintained by the Chairperson in all meetings of the Board of Trustees.

(4) The Board of Trustees shall meet at least once in every three months and shall function in the accordance with the guidelines that may be issued from time to time by the Central Government or the Central Provident Fund Commissioner or any officer authorised by him.

(5) The terms and conditions, including the tenure of office of the Trustees, the procedure and manner for election or nomination of the representatives of the employees and of employers to the Board of Trustees, disqualification and cessation of trusteeship, re-election or re-nomination of trustees, the quorum at the meeting of the Board, records to be kept of the transaction of business and all such other matters and conditions for the management of the Trust shall be as provided for in the Provident Fund Scheme or the Pension Scheme, as the case may be.

(6) In case of any dispute or doubt on-

(a) the interpretation of any provision of this rule, such matter shall be referred to the Central Government; and

(b) any clarifications on the grant of such exemption which do not relate to this rule, shall be referred to the Central Provident Fund Commissioner or any other officer of the Employees' Provident Fund Organization authorised by him;

and the interpretation of the Central Government or the clarification of the Central Provident Fund Commissioner or such officers, as the case may be, on such dispute or doubt shall be binding for the disposal of such matter so referred.

69. Manner of determining misuse of any benefit by an establishment or by any other person under section 148.-On the recommendations of the authority or the competent authority or Social Security Organisation, if the Central Government is satisfied that any establishment or any person has misused any benefit provided under the Code or these rules, the Central Government may by notification, deprive such establishments or such person, as the case may be, from such benefit for such time as may be specified in the notification:

Provided that no such order shall be passed unless an opportunity of being heard is given to such establishment or such person, as the case may be.

*****

FORM- I

[See rule 13 (2)(a)]

APPEAL UNDER SECTION 23 OF THE CODE ON SOCIAL SECURITY, 2020

Title of the case:

APPEAL

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Serial No.	Description of documents relied	Page No.
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Signature of the Applicant

For use in Tribunal's office

Date of filing (or) Date of receipt by post Registration No.

Signature of Registrar

IN THE CENTRAL GOVERNMENT INDUSTRIALTRIBUNAL

BETWEEN

A.B. APPELLANT

Vs.

C.D. RESPONDENT

DETAILS OF APPEAL

1. **Particulars of the Appellant**:
   - i. Name of the appellant
   - ii. Office address
   - iii. Address for service ofnotices
2. **Particulars of the Respondent**:
   - i. Name of therespondent
   - ii. Office address
   - iii. Address for service ofnotices
3. **Particulars of the order/notification against which appeal is made**.- The appeal is against the followingorder/notification
   - i. Order/notification No. with reference to Annexure

ii. Date
iii. Passed by
iv. Subject inbrief

4. **Jurisdiction of the Tribunal.-** The appellant declares that the subject of the matter against which he wants redressal is within the jurisdiction of theTribunal.
5. **Limitation**. —The appellant further declares that the appeal is within the limitation specified in section 126 of the Code on Social Security, 2020 (36 of 2020).
6. **Facts of the case.-** The facts of the case are given below:

(Give here a concise statement of facts in a chronological order, each paragraph containing as nearly as possible a separate issue, fact or otherwise)

7. **Details of remedies exhausted**. —The appellant declares that he has availed of all the remedies available to him under the Code.

(Give here chronologically the details of representations made and the outcome of such representation with reference to the Annexure numbers).

8. **Matters not previously filed or pending with any other Court**. —The appellant further declares that he had not previously filed any appeal, writ petition or suit regarding the matters in respects of which this appeal has been made, before any court of law or any other authority or any other bench of the Tribunal nor any such appeal, writ petition or suit is pending before any ofthem.

In case the appellant has previously filed any appeal, writ petition or suit, the stage at which it is pending and if decided, the gist of the decision should be given with reference to the Annexure.

9. **Relief(s) sought**. —In view of the facts mentioned in para 6 above, the appellant prays for the following relief(s):--

[Specify below the relief(s) sought explaining the ground for relief(s) and the legal provisions (if any) relied upon].

10. **Interim order, if any, prayed for**. —Pending final decision on the appeal the applicant seeks issue of the following interim order—

(Give here the nature of the interim order prayed for with reasons)

11. In the event of appeal being sent by speed post (with registration), it may be stated whether the appellant desires to have oral hearing at the admission stage and if so, he shall attach a self-addressed Post Card, Inland Letter, at which intimation regarding the date of hearing could be sent tohim.
12. **Particulars of Bank Draft or Postal order in respect of the Appeal Fee**:

13. Name of the Bank on which drawn
14. Demand Draft No. (OR)
15. Details of online fund transfer
16. **List ofenclosures**

1.
2.
3.
4.
5.
6.

VERIFICATION

I, …… (Name of the Appellant) S/O, D/O, W/O …….. Age……. working as ……..in the office of ……. resident of ……. do hereby verify that the contents of paras ……. to……. are true to my personal knowledge and paras …….. to……. believed to be true on legal advice and that I have not suppressed any material fact.

Signature of the Appellant

Date:
Place:

To
The Registrar

FORM-II

[See rule 13 (2)(c)]

RECEIPT SLIP

Receipt of the appeal filed in the Central Government Industrial Tribunal at ……. by Sri/Smt/Kum…… working in/for…… of…… residing at……. is hereby acknowledged.

For Registrar
Central Government Industrial
Tribunal

Date:
Seal:

FORM-III

[(See rules 32 (1),(2), (3) and (4)]
[For the purpose of Chapter-V]

Nomination/Fresh Nomination/Modification of Nomination
(Strike out the words not applicable)

Sl. No.	**Details of the employee:**	
1.	Name of employee in full	

2.	Father's/Spouse's name	
3.	Date of Birth (- -/- -/- - - -)	
4.	Universal Account Number(if available):	
5.	Sex	
6.	Religion	
7.	Whether unmarried/married/widow/widower	
8.	Department/Branch/Section where employed	
9.	Post held with Ticket No. or Serial No., if any	
10.	Date of appointment	
11.	Date of superannuation	
12.	Permanent address:	
	Village:	
	Post-Office:	
	Thana:	
	Sub-Division:	
	District:	
	State:	
	Pin-Code:	
	E-mail ID:	
	Mobile Number:	

To……
……..
(Give here name or description of the establishment with full address)

I, Shri/Shrimati/Kumari……(Name in full here)whose particulars are given in the statement below, hereby nominate the person(s) mentioned below/ have acquired a family within the meaning of clause (33) of section 2 of the Code on Social Security, 2020 (36 of 2020) with effect from the ……(date here) in the manner indicated below and therefore nominate afresh the person~~(s)~~ mentioned below to receive the gratuity payable after my death as also the gratuity standing to my credit in the event of my death before that amount has become payable, or having become payable has not been paid and direct that the said amount of gratuity shall be paid in proportion indicated against the name(s) of the nominee(s).

or

I, Shri/Shrimati/Kumari……(Name in full here) whose particulars are given in the statement below, hereby give notice that the nomination filled by me on date …… and recorded under your reference No…….dated……. shall stand modified in the following manner:-

**Strike out unnecessary portion.*

Nominee(s)

S.No.	Name in full with full	Relationship	Age of	Aadhaar No. of the	Proportion by

	address of nominee(s)	with the employee	nominee	nominee	which the gratuity will be shared
1. 2. 3. So on					

DECLARATION

1. I hereby certify that the person(s) mentioned is/are a member(s) of my family within the meaning of clause (33) of section 2 of the Code on Social Security, 2020 (36 of 2020).

2. I hereby declare that I have no family within the meaning of clause (33) of section 2 of the said Code.

3 (a) My father/mother/parents is/are not dependent on me.

(b) My husband's father/mother/parents is/are not dependent on my husband.

4. I have excluded my husband from my family by a notice dated the…… to the competent authority in terms of clause (33) of section 2 of the said Code.

5. Nomination made herein invalidates my previous nomination.

Manner of acquiring a "Family"

(Here give details as to how a family was acquired, i.e., whether by marriage or parents being rendered dependent or through other process like adoption)

Place:
Date:

Signature/Thumb-impression of the Employee

Certificate by the Employer

Certified that the particulars of the above nomination have been verified and recorded in this establishment.

Employer's Reference No., if any

Signature of the employer/Officer authorised
Designation
Date: Name and address of the establishment
or

rubber stamp thereof.

Acknowledgement by the Employee

Received the duplicate copy of nomination in **Form-III** filed by me and duly certified by the employer.

Date: …….

Signature of the Employee

FORM-IV

[(See rule 33(1)]

Application for gratuity by an Employee/nominee/legal heir

(Strike out the words not applicable)

To,……
(Give here name or description of the establishment with full address)

Sir/Madam,

I, ……..(name of employee/nominee/legal heir) /nominee of late…….(Name of the employee)/ as a legal heir of late…….(Name of the employee), want to apply for payment of gratuity to which I am entitled under sub-section (1) of section 53 of the Code on Social Security, 2020 (36 of 2020) on account of-

(a) my superannuation/retirement/resignation after completion of not less than five years of continuous service/total disablement due to accident/total disablement due to disease/ on termination of contract period under fixed term employment with effect from the……..or;

(b)death of the aforesaid employee while in service/superannuation on……after completion of……..years of service/total disablement of the aforesaid employee due to accident or disease while in service with effect from the…… or;

(c)death of aforesaid employee of your establishment while in service/superannuation on……(date) without making any nomination after completion of ……..years of service/total disablement of the aforesaid employee due to accident or disease while in service with effect from……

Necessary particulars relating to my appointment are given in the statement below.

1. Name of employee in full, (if the gratuity is claimed by an employee)

a. Marital status of employee(unmarried/married/widow/widower)
b. Address in full of employee

or

2. Name of nominee/legal heir, (if the gratuity is claimed by nominee/legal heir)

a. Name of Employee
b. Marital status of nominee/legal heir(unmarried/married/widow/widower)
c. Relationship of nominee/legal heir with the employee
d. Address in full of nominee/legal heir
e. Date of death and proof of death of the employee
f. Reference No. of recorded nomination, if available

3. Department/Branch/Section where last employed

4. Post held by employee.

5. Date of appointment.

6. Date and cause of termination of service

7. Date of Death

8. Total period of service of the employee

9. Total wages last drawn by the employee.

10. Total gratuity payable to the employee/ share of gratuity claimed by a nominee/legal heir.

11. Payment may please be made by crossed bank cheque/credit in my bank account no…...

Yours faithfully,
Signature/Thumb-impression of the
applicant employee/nominee/legal heir.

Place:
Date:

FORM-V

[(See rule 33(2)]

Notice for payment/rejecting claim of gratuity

(Strike out the words not applicable)

To,……
…….
(Name and address of the applicant employee/nominee legal heir)

You are hereby informed that

(a) *as required under sub-clause (ii) of clause (a) of sub-rule (2) of rule 33 of the Social Security (Central) Rules, 2026, that your claim for payments of gratuity as indicated on your application in **Form-IV** under the said rules is not admissible for the reasons stated below:

Reasons (Here specify the reasons); or

(b) *as required under sub-clause (i) of clause (a) of sub-rule (2) of rule 33 the Social Security (Central) Rules, 2026 that a sum of Rs. ……..(Rupees……) is payable to you as gratuity/as your share of gratuity in terms of nomination made by ……..on

……and……recorded in this ……as a legal heir of…….an employee of this establishment.

2.*Please call at ……..on…… (Here specify place)……..(date) at…….(time) for collecting your payment of gratuity crossed cheque.

3. Amount payable shall be sent to you through demand draft or shall be credited in your bank account as desired by you.

4. Brief statement of calculation

a. Date of appointment.
b. Date of termination/superannuation/resignation/ disablement/death.
c. Total period of service of the employee concerned: …….years…….. months.

(d) Wages last drawn:
(e) Proportion of the admissible gratuity payable in terms of nomination/as a legal heir:
(f) Amount payable:

**strike out para, if not applicable*

Place:
Date: Signature of the Employer/Authorised Officer.
Name or description of establishment or rubber stamp thereof.

Copy to:
The Competent Authority.

FORM-VI

[(See rule 33(4)]

Application for Direction
Before the Competent Authority for Chapter V under the Code on Social Security, 2020

Application No. Date

BETWEEN
(Name in full of the applicant with full address)
AND
(Name in full of the employer concerned with full address)

The applicant is an employee of the above-mentioned employer/a nominee of late…… an employee of the above-mentioned employer/a legal heir of late…… and employee of the above-mentioned employer, and is entitled to payment of gratuity under section 53 of the Code on Social Security, 2020 (36 of 2020) on account of his own/aforesaid employee's superannuation on……(date)/his own retirement/aforesaid employees' resignation on……..(date) completion of……years of continuous service/his own/aforesaid employees' total disablement with effect from …….(date)due to accident/disease death of aforesaid employee on…….

2. The applicant submitted an application under rule…… of the Social Security (Central) Rules, 2026 on the ……but the above-mentioned employer refused to entertain it/issued a notice dated the……. under clause ……of sub-rule of rule ……offering an amount of gratuity which is less than my due/issued a notice dated the

…….. under clause……. of sub-rule……of rule……. rejecting my eligibility to payment of gratuity. The duplicate copy of the said notice is enclosed.
3. The applicant submits that there is a dispute on the matter (specify the dispute).
4. The applicant furnishes the necessary particulars in the annexure hereto and prays that the Competent Authority may be pleased to determine the amount of gratuity payable to the applicant and direct the above-mentioned employer to pay the same to the applicant.
5. The applicant declares that the particulars furnished in the annexure hereto are true and correct to the best of his knowledge and belief.

Place:
Date:

Signature/Thumb impression of the applicant.

ANNEXURE

1. Name in full of applicant with full address
2. Basis of claim (Death/Superannuation/Retirement/Resignation/Disablement of Employee/Completion of contract period under Fixed Term Employment)
3. Name and address in full of the employee
4. Marital status of the employee (unmarried/married/widow/widower)
5. Name and address in full of the employer
6. Department/Branch/Section where the employee was last employed (if known)
7. Post held by the employee with Ticket or Sl. No., if any (if known)
8. Date of appointment of the employee (if known)
9. Date and cause of termination of service of the employee (Superannuation / retirement / resignation /disablement / death/Completion of contract period under fixed term employment)
10. Total period of service by the employee
11. Wages last drawn by the employee
12. If the employee is dead, date and cause thereof
13. Evidence/witness in support of death of the employee
14. If a nominee, No. and date of recording of nomination with the employer
15. Evidence/witness in support of being a legal heir, if a legal heir
16. Total gratuity payable to the employee (if known)
17. Percentage of gratuity payable to the applicant as nominee/legal heir
18. Amount of gratuity claimed by the applicant

Place:
Date: Signature/Thumb-impression of the applicant

FORM – VII

[(See rules 33 (5) and (8)]

Notice for Appearance before the Competent Authority/Summon
(Strike out the words not applicable)

To,
(Name and address of the employer/applicant)

Whereas Shri/Smt/Kumari ……..an employee under youor a nominee(s)or legal heir(s) of Shri/Smt/Kumari…….an employee under the above-mentioned employer, has/have filed an application under sub-rule (4) of rule 33 of the Social Security(Central) Rules, 2026 alleging that----

(A copy of the said application is enclosed, if summon is issued then copy of application is not required)

Now, therefore, you are hereby called upon/summoned to appear before the Competent Authority at ……..(place)either personally or through a person duly authorised in this behalf for the purpose of answering all material questions relating to the application on the ….. day of ……20….. at …….'O' clock in the forenoon/afternoon in support of/to answer the allegation; and as the day fixed for your appearance is appointed for final disposal of the application, you must be prepared to produce on that day all the witnesses upon whose evidence, and the documents upon which you intend to rely in support of your allegation/defence.

Take notice that in default of your appearance on the day before-mentioned, the application will be dismissed/heard and determined in your absence.

Whereas your attendance is required to give evidenceor you are required to produce the documents mentioned in the list below, on behalf of …….. in the case arising out of the claim for gratuity by……. Form…….. and referred to this Authority by an application under section 56 of the Code on Social Security, 2020 (36 of 2020), you are hereby summoned to appear personally before this Authority on the ……. day of ……..20…….. at …… 'O'clock in the forenoon/afternoon and to bring the said documents with you.

List of documents-

1.
2.
3. so on

Given under my hand and seal, this ……..day of ……..20…..

Competent Authority
under the Code on Social Security Code, 2020

Note: 1. Strike out the words and paragraphs not applicable.
2. The portion not applicable to be deleted.
3. The summons shall be issued in duplicate. The duplicate is to be signed and returned by the persons served before the date fixed.

4.In case the summons are issued only for producing a document and not to given evidence it will be sufficient compliance to the summons if the documents are caused to be produced before the Competent authority on the day and hour fixed for the purpose.

FORM – VIII

[(See rules 33(11) and 33(12)(h)]

Notice for payment of gratuity as determined by Competent/Appellate Authority

(Strike out the words not applicable)

To,
(Name and address of employer)

Whereas Shri/Smt./Kumari…… an employee…… (address)under you/a nominee(s)/legal heir(s) of late ……an employee under you, filed an application under section 56 of the Code on Social Security, 2020 (36 of 2020), before me; or

Whereas a notice was given to you on …….requiring you to make payment of Rs…… to Shri/Smt./Kumari……as gratuity under the Code on Social Security, 2020 (36 of 2020).

And whereas the application was heard in your presence on……..and after the hearing have come to the finding that the said Shri/Smt./Kumari…… is entitled to a payment of Rs…… as gratuity under the Code on Social Security, 2020 (36 of 2020); or

Whereas you or the applicant went in appeal before the appellate authority, who has decided that an amount of Rs…….. is due to be paid to Shri/Smt./Kumari…….as gratuity due under the Code on Social Security, 2020 (36 of 2020).

Now, therefore, I hereby direct you to pay the said sum of Rs. …….to Shri/Smt./Kumari ……. within thirty days of the receipt of this notice with an intimation thereof to me.

Given under my hand and seal, this …….day of…….20……...

Competent Authority
under the Code on Social Security Code, 2020

Copy to:

1. The Applicant- He is advised to contact the employer for collecting payment.
2. The Appellate Authority if applicable.

Note.--- *(Strike out paragraphs if not applicable)*

FORM – IX

[(See rule 33 (13)]

Application for Recovery of Gratuity

Before the Competent Authority for Chapter V under the Code on Social Security, 2020

Application No. Date

BETWEEN

(Name in full of the applicant with full address)

AND

(Name in full of the employer/Trust/Insurer concerned with full address)

1. The applicant is an employee of the above-mentioned employer/a nominee of late……
an employee of the above mentioned employer/a legal heir of late ……an employee of the above-mentioned employer, and you were pleased to direct the said employer in your notice dated the ……..under sub-rule (11) or sub-rule (12) of rule 33 of Social Security (Central) Rules, 2026for payment of a sum of Rs…….. as gratuity payable under the Code on Social Security, 2020 (36 of 2020).

2. The applicant submits that the said employer failed to pay the said amount of gratuity to me as directed by you although I approached him for payment.

3. The applicant therefore prays that a certificate may be issued under section 129 for recovery of the said sum of Rs. …….due to me as gratuity in terms of your direction.

Signature/Thumb-impression of applicant.

Place:
Date:
Note.—Strike out the words not applicable.

FORM – X

[See rule 35(1)(a), 35(1)(d) and 35(2)(f)]

Certificate of Medical Officer/Medical Practitioner for confinement/miscarriage/ Medical termination of pregnancy or tubectomy operation/ delivery of a child

This is to certify that-

1. *I examined…….wife/ daughter of ….. a woman employee in…… (Name of the establishment) on…... (Date) and found/ cannot discover that she is pregnant and is expected to be delivered of a child within (month and/days) from the above mentioned date or has undergone miscarriage/ Medical termination of pregnancy or tubectomy operation/has been delivered of a child on…… (Date) or is suffering from……(date) from illness arising out of pregnancy or delivery or premature birth of a child or miscarriage/ Medical termination of pregnancy or tubectomy operation.
2. *Smt…… wife/daughter of…… employed in…… (Name of the establishment) expired on ……before/during/ after confinement. The child died on……or survives her.
3. *I examined….wife/ daughter of….a woman employed in…… (Name of establishment) and found that she has been delivered of a child or has undergone miscarriage on…… (date).

*Strike out unnecessary portion.

Signature and designation of
Medical Officer/Medical Practitioner/ASHA/ANM/Gram Pradhan/Village Administrative Officer/
Authorised Officer of the Municipality

Date……
Definitions of "child" and "miscarriage" as in the Code on Social Security, 2020(36 of 2020).-
1. "Child" includes a still-born child.
2. "Miscarriage" means expulsion of the contents of a pregnant uterus at any period prior to or during the twenty-sixth week of pregnancy but does not include any miscarriage, the causing of which is punishable under the Indian Penal Code.

FORM – XI

[See rule 35 (2)(a) and (c)]

(Notice of claim for maternity benefit and payment thereof under sections 62 and 63)

To
……..… (name of establishment)

PART I

[See Rule 35 (2)(a)]

Notice

I ……. (name of woman) wife or daughter of…… employed as…… at……(name of establishment), hereby give notice that I expect to be confined within six weeks next following from the date of this notice or have given birth to a child on…..(date) and shall be absent from work from…..(date). I shall not work in any establishment during the period for which I receive maternity benefit.

2.For the purpose of section 63, I hereby nominate…… (Here enter name and address of the nominee) to receive maternity benefit and/ or any other amount due to me under the Code in case of my death.

Signature of an Attester in case the woman is not able to sign and affix thumb impression.
Date……

Signature or thumb impression of woman

PART II

[See rule 35 (2)(c)]

FORM OF RECEIPT OF MATERNITY BENEFIT

I,……, the undersigned, a woman employee/ the nominee of…… woman employee or legal representative of…… woman employee deceased in……(name of establishment) at…… in…… district received maternity benefit and/or other amount due under the Code on Social Security ,2020(36 of 2020) from the employer of the establishment referred to above, as detailed below:-

Rs…… being the first installment of maternity benefit paid on……

Rs…… being the second installment of maternity benefit after delivery paid on……

Rs…… being the medical bonus under section 64 of the Code paid on……

Rs……being the wages for the leave period from…… to…… mentioned under section 65.

*My/ Her confinement/ miscarriage or Medical termination of pregnancy or tubectomy operation took place on…….or I/she fell ill because of pregnancy, delivery, premature birth of a child or miscarriage or Medical termination of pregnancy or tubectomy operation on…… In consequence I…… her nominee/legal representative has received the aforesaid amounts prescribed in sections 60, 64 and 65 of the Code on Social Security, 2020(36 of 2020).

Signature or thumb impression of……
*Woman employee or her nominee or legal representative

Signature of an Attester in case the woman is not able to sign and affixes thumb impression

Place:
Date:
*Strike out unnecessary portion.

Form XII

[seerule 38 (2)]

Appeal under Section 68

To

The Competent Authority
(Appointed under Chapter VI of Code on Social Security, 2020)
……..(Address)

Sir,

I, ..…. The undersigned, woman employee of ….(name and full address of the establishment) have been wrongly deprived by the employer of maternity benefit or medical bonus or both or wrongly discharged or dismissed during or on account of absence from work in accordance with the provisions of Chapter VI of the Code on Social Security, 2020(36 of 2020) for the reasons attached hereto, prefer this appeal under sub-section (2) of section 68 and request that the said employer be ordered to pay the above mentioned amount to me and/or set aside the order of discharge/dismissal. A copy of the order of the employer in this behalf is enclosed.

Signature or thumb impression of the Woman employee/
nominee/ legal representative

Place.....
Date……

Signature of an Attester in case the woman employee/
nominee/ legal representative is
unable to sign and affixes thumb impression.
Full address of the woman employee /nominee/legal representative.

FORM – XIII-A

[See rule 39(1)(a)]

Complaint to the Inspector-cum-Facilitator

To,

The Inspector-cum-Facilitator
(under the Code on Social Security, 2020)

Sir,

I…… (Name of woman employee) employed in…… (name and full address of the establishment) or I……, (name), a person nominated under section 62 by or a legal representative of……(name of woman employee) employed in…….(name and full address of the establishment) having fulfilled the conditions laid down in the Code on Social Security, 2020(36 of 2020) and the rules framed thereunder, am entitled to Rs…… being maternity benefit and/ or Rs…… being the medical bonus and/ or Rs……. being wages for leave due under section 65 but the same has been improperly withheld by the employer/discharged or dismissed during or on account of my/her absence from work in accordance with the provisions of Chapter VI of Code on Social Security, 2020(36 of 2020).

You are, therefore, requested to direct the employer to pay the amount to me and/or to set aside the discharge or dismissal done by the employer.

Signature or thumb impression of the Woman employee/
nominee/ legal representative

Place.....
Date……

Signature of an Attester in case the woman employee/
nominee/ legal representative is
unable to sign and affixes thumb impression.
Full address of the woman employee/nominee/legal representative.

FORM-XIII-B

[See rule 39 (2) (b)]

Appeal

To,

The Appellate Authority,

(Appointed under the Code on Social Security, 2020)
……(Address)

Sir,

I……, the undersigned, woman employee/her legal heir/her representative or employer/his representative of…… (name and full address of the establishment) aggrieved by the order of Inspector-cum-Facilitator Shri…….. hereby prefer this Appeal under sub-section (3) of section 72 in view of the facts mentioned in the memorandum and other documents filed herewith.

Denial by his order under sub-section (2) of section 72, the maternity benefit or other amount …… (Nature of amount) to which…… (Name of woman employee) is entitled and/or refused to set aside discharge or dismissal of …….. (Name of woman employee) during or on account of absence from work in accordance with the provisions of Chapter VI of the Code on Social Security, 2020(36 of 2020)(Strike out unnecessary portion).*

*It is submitted that the …….. (Name of woman employee) is not entitled to the maternity benefit or the said amount and/or rightly discharged or dismissed hence the order of the Inspector-cum-Facilitator may be set aside.
**Strike out unnecessary portion.*

Signature or thumb impression of the Woman employee/Aggrieved person/Employer

Place.....
Date……

……..
Signature of an Attester in case the woman employee is not able to sign and affixes thumb impression.
Full address of the nominee/legal representative

FORM – XIV
[See rule 40(4)]

(Abstract for the Maternity Benefit, and the rules made under the Code on Social Security, 2020).

1. No employer shall knowingly employ a woman during the six weeks immediately following the day of her delivery/miscarriage/Medical termination of pregnancy and no woman shall work in any establishment during the said period.

2. No pregnant woman shall, on a request being made by her in this behalf, be required by her employer to do during the period of one month immediately preceding the period of six weeks before

the date of her expected delivery and also for any period during this period of six weeks for which she does not avail of leave of absence, any work which is of an arduous nature or which involves long hours of standing, or which in way is likely to interfere with her pregnancy or the normal development of the foetus, or is likely to cause her miscarriage or otherwise to adversely affect her health.

3. (a) Subject to the provisions of the Code, every woman who has actually worked in an establishment of the employer from whom she claims maternity benefit for a period of not less than eighty days, including the days during which she was laid off, shall be entitled to, and her employer shall be liable for, the payment of maternity benefit at the rate of her average daily wages, or the minimum rate of wage fixed or revised under the Code on Wages, 2019 (29 of 2019) or two hundred rupees a day**,** whichever is higher, for the period of her actual absence not exceeding six weeks immediately preceding the day of delivery and the remaining period immediately following that day:

Provided that where a woman dies during the period for which maternity benefit is payable, to her, the benefit shall be payable only for the days up to and including the day of her death. However, where the woman having been delivered of a child, dies during her delivery or during the remaining period of maternity benefit leaving behind in either case the child, the employer shall be liable for the payment of maternity benefit for the entire period of maternity benefit following the day of her delivery but if the child also dies during the said period, then, for the days up to and including the day of the death of the child.

(b)The amount of maternity benefit for the period preceding the date of her expected delivery shall be paid in advance by the employer to the woman on production of a certificate in **Form-X** stating that she is pregnant and is expected to be delivered of a child within six weeks of the date of production of the certificate, and the amount due for the subsequent period shall be paid by the employer to the woman within forty-eight hours of production of the certificate in **Form-X** stating that she has been delivered of a child or production of a certified extract from a Birth Register maintained under the provisions of any law for the time being in force.

4. (a) Any woman employed in an establishment and entitled to maternity benefit under the provisions of the Code may give notice in writing in **Form-XI** to her employer, stating that her maternity benefit and any other amount to which she may be entitled under the Code may be paid to her or to such person as she may nominate in the notice and that she will not work in any establishment during the period for which she receives maternity benefit.

(b) In the case of a woman who is pregnant, such notice shall state the date from which she will be absent from work, not being a date earlier than six weeks from the date of her expected delivery.

(c) Any woman who has not given the notice when she was pregnant may give such notice as soon as possible after the delivery.

(d) On receipt of the notice, the employer shall permit such woman to absent herself from establishment until the expiry of the remaining period of maternity benefit after the day of her delivery.

5. (a)Every woman entitled to maternity benefit under the Code shall also be entitled to receive from her employer a medical bonus of rupees three thousand and five hundred, if no pre-natal, confinement and post-natal care is provided for by the employer free of charge. The medical bonus shall be paid along with the second installment of the maternity benefit.

(b)In case of miscarriage/medical termination of pregnancy, a woman shall, on production of a certificate in Form-**X** be entitled to leave with wages at the rate of maternity benefit, for a period of six weeks immediately following the day of her miscarriage. The wages shall be paid within 48 hours of production of the certificate in Form-**X.**

(c)A woman suffering from illness arising out of pregnancy, delivery, premature birth of child or miscarriage/ medical termination of pregnancy or tubectomy operation shall, on production of a certificate in **Form-X,** be entitled, in addition to the period of absence allowed to her on account of maternity or miscarriage/ medical termination of pregnancy or tubectomy operation, as the case may be, to leave with wages at the rate of maternity benefit for a maximum period of one month. The wages for the leave period shall be paid within 48 hours of the expiry of that period.

6. Every woman delivered of a child who returns to duty after such delivery shall, in addition to the interval for rest allowed to her, be allowed in the course of her daily work two breaks of 15 minutes' duration for nursing the child until the child attains the age of fifteen months. An extra sufficient period, depending upon the distance to be covered, shall be allowed for the purpose of the journey to and from the creche or the place where the children are left by women while on duty, provided that such extra period shall be upto 15 minutes.

7. (1) When a woman absents herself from work in accordance with the provisions of the Code, it shall be unlawful for her employer to discharge or dismiss her during or on account of such absence or to give notice of discharge or dismissal on such a day that the notice will expire during such absence, or to vary to her disadvantage any of the conditions of her service.

(2) (a) The discharge or dismissal of a woman at any time during her pregnancy, if the woman but for which discharge or dismissal would have been entitled to maternity benefit or medical bonus shall not have the effect of depriving her of the maternity benefit or medical bonus:

Provided that where the dismissal is for one or more of the following acts, the employer may, by order in writing communicate to the woman, deprive her of the maternity benefit or medical bonus or both-

(i) wilful destruction of employer's goods or property;
(ii) assaulting any superior or co-employee at the place of work;
(iii) criminal offence involving moral turpitude resulting in conviction in a Court of law;
(iv) theft, fraud, or dishonesty in connection with the employer's business or property; and
(v) wilful non-observance of safety measures or rules on the subject or wilful interference with safety devices or with fire-fighting equipment.

(b) Any woman deprived of maternity benefit or medical bonus or both, may within sixty days from the date on which the order of such deprivation is communicated to her, appeal in **Form-XII** to the Competent Authority and his decision on such appeal whether the woman should or should not be deprived of maternity benefit or medical bonus or both, shall be final.

8. If a woman works in any establishment after she has been permitted by her employer to absent herself under the provisions of the Code, she shall forfeit her claim to the maternity benefit for such period.

9. (1) Any woman claiming the maternity benefit or any other amount to which she is entitled under the Code and any person claiming that payment due has been improperly withheld may make complaint to the Inspector-cum-Facilitators in writing in Form-XIII-**A**.

(2)The Inspector-cum-Facilitators may, on his own motion or on receipt of a complaint in Form-XIII-**A,** make an inquiry or cause an enquiry to be made and if satisfied that payment has been wrongfully withheld, may direct the payment to be made in accordance with his orders.

(3) Any person aggrieved by the decision of the Inspector-cum-Facilitator may, within, thirty days from the date on which such decision is communicated to such person, appeal in Form-XIII-**B** to the Authority prescribed by the appropriate Government.

(4)The decision of Authority where an appeal has been preferred to him or of the Inspector-cum-Facilitator where no such appeal has been preferred, shall be final.

10. (a)The employer shall supply to every woman employed by him at her request free of cost copies of Forms X, XI, XII, XIII-A and XIII-B**.**

(b)The failure to submit a notice, appeal or complaint in the prescribed form shall not affect the right of a woman entitled to receive maternity benefit or any other amount due under the Code. Where a notice, appeal or complaint has been received in a form other than the prescribed form, the authority concerned shall within fifteen days of the receipt of such notice, appeal or complaint, require the woman to submit the notice, appeal or complaint, as the case may be in the prescribed form.

11. (a) (1) The employer of the establishment in which women are employed shall prepare and maintain a register of women employees in **Form-XXII** and shall enter therein particulars of all women employees in the establishment.

(2) All entries in the register of women employees shall be made in ink and maintained up-to-date and it shall always be available for inspection by the Inspector-cum-Facilitator during working hours.

(b)The employer to which the Code applies, on or before the 28th/29th day of February in each year, upload a unified annual return in Form-XXIII online on the web portal of the Central Government in the Ministry of Labour and Employment, giving information as to the particulars specified, in respect of the preceding year:

Provided that during inspection, the Inspector-cum-Facilitator may require the production of accounts, books, register and other documents maintained in electronic form or otherwise.

Explanation.– The expression "electronic form" shall have the same meaning as assigned to it in clause (r) of section 2 of the Information Technology Act, 2000 (21 of 2000).

FORM – XV

[See rule 41(1)(a) and (b)]

Information for commencement or modification in respect of building or other construction work by the employer

1.	Name and address (permanent) of the establishment.	
2.	Name of the employer and address details	
3.	Name and address/ location of place where the building or other construction is proposed to be carried on.	
4.	Name, designation and address of the authorised Person along with contact details	
5.	Correspondence address for the proposed building or other construction work	
6.	Nature of proposed construction work	
7.	Date of commencement of work(in case construction has started)	
8.	Approximate duration of work	
9.	Details of any change /modifications in the proposed construction work	

Declaration

I/we hereby intimate that the building or other construction work (name of work) having registration number ……. dated ……. is likely to commence or is likely to modify with effect from (date)/ [on (date)].

Signature and Seal of employer

Name:
Date:
Place:
Mobile Number:

E-mail (if any):

FORM – XVI

[See rule 41 (2)(b)]

Format for Self- assessment of Cess for building or other construction work to be furnished by employer

1.	Name and address (permanent) of the establishment.		
2.	Name of the employer and address details		
3.	Name and address or location of place where the building or other construction work is proposed to be carried on.		
4.	Name, designation and address of the authorised Person along with contact details		
5.	Correspondence address for the proposed building or other construction work		
6.	Nature of proposed construction work		
7.	Date of commencement of work(in case construction has started)		
8.	Approximate duration of work		
9.	Total proposed area of construction work		
10.	Total estimated cost of the construction based on the rates of (PWD or CPWD or RERA or some other rates, as the case may be) along with documents (original) as per Rule 41.		
11	Total estimated cost of construction as certified by chartered engineer		
12	Amount of provisional cess	%age of total estimated cost of the construction as notified by the Central Government	Total estimated cess (in Rs.)

13	Advance cess paid, along with details (at the time of approval of the Project or before the commencement of the construction work) or deduction at source		
14	Details of cess paid (when duration of the proposed construction work is more than one year)		
	Sl No	Year	Amount (in Rs.)
	14.1	1st year	
	14.2	2nd Year	
	14.3	3rd Year	
15	Total amount of the cess paid (Sl.No. 13 + 14)		

Declaration

1. I/We hereby declare that the particulars given above are true to the best of my/our knowledge and belief and I/We hereby declare that nothing has been concealed or any fact has been mis-represented in the above calculation made by me/us.
2. I/We hereby declare that I/We am/are quite aware of the penal provisions of the Code on Social Security, 2020(36 of 2020) and if in future anything mentioned in the above self-assessment of cess amount, is found to be incorrect or inappropriate or any incidence of hiding the facts or under calculation of cess amount is found, punitive action may be taken against me/us.

Signature and seal of employer

Name:
Date:
Place:
Mobile Number:

E-mail (if any):

Certified by Chartered Engineer

Along with his registration number, duly stamped.

FORM- XVII

[See rules 41(2) (e)and 41(5)(a)(b)(c)]

Notice for stoppage or reduction of Building or Other Construction Work

1.	Name of Establishment	
2.	Registration number of Establishment	
3.	Address of establishment	
4.	Date of commencement of work	DD MM YYYY

5.	Approximate proposed period of work		DD MM YYYY	
6.	Date of stoppage or reduction of the building or other construction work			
7.	Total estimated cost of the construction based on the rates of (PWD or CPWD or RERA or some other rates, as the case may be) along with documents (original) as per Rule 41.			
8	Total incurred cost of the construction work			
9	Total amount of cess payable		%age of total incurred cost of the construction as notified by the Central Government	Total cess payable (in Rs.)
10	Advance cess paid, along with details (at the time of approval of the Project or before the commencement of the construction work) /deduction at source, if any			
11	Details of cess paid (when duration of the proposed construction work was more than one year)			
	Sl. No.	Year	Amount (in Rs.)	
	11.1	1st year		
	11.2	2nd Year		
	11.3	3rd Year		
12	Total amount of the cess paid (Sl.No. 10 + Sl.No 11)			
13.	Amount of outstanding cess (Sl.No. 9 – Sl.No.12)			
14	Proof of payment of outstanding cess, if applicable			
15.	Amount of overpaid cess, if applicable			
16.	In case overpaid, details of the bank account in which excess amount is to be refunded			
17	Remarks, if any			

Declaration

1. I/We hereby declare that the particulars given above are true to the best of my/our knowledge and belief and I/We hereby declare that nothing has been concealed or any fact has been mis-represented in the above calculation made by me/us.

2. I/We hereby declare that I/We am/are quite aware of the penal provisions of the Code on Social Security, 2020(36 of 2020) and if in future anything mentioned in the above self-assessment of cess amount, is found to be incorrect or inappropriate or any incidence of hiding the facts or under calculation of cess amount is found, punitive action may be taken against me/us.

Signature and seal of employer

Name:
Date:
Place:
Mobile Number:

E-mail (if any):

Certified by Chartered Engineer

Along with his registration number, duly stamped.

FORM- XVIII

[See rules 41 (2) (f) and 41(4) (a), (c) and (e)]

Return on completion of building or other construction work submitted by employer

1.	Name and address (permanent) of the establishment			
2.	Name of the employer and address details			
3.	Name and address/ location of place where the building or other construction is proposed to be carried on			
4.	Name, designation and address of the authorised Person along with contact details			
5.	Correspondence address for the proposed building or other construction work			
6.	Nature of proposed construction work			
7.	Date of commencement of work(in case construction has started)			
8.	Date of completion of work			
9.	Duration of work			
10.	Total completed area of construction work			
11.	Total estimated cost of the construction based on the rates of (PWD or CPWD or RERA or some other rates, as the case may be) along with documents (original) as per Rule 41			
12	Total incurred cost of the construction work			
13	Total amount of cess payable		%age of total incurred cost of the construction as notified by the Central Government	Total cess payable (in Rs.)
14	Advance cess paid, along with details (at the time of approval of the Project or before the commencement of the construction work) /deduction at source, if any			
15	Details of cess paid (when duration of the proposed construction work is more than one year)			
	Sl. No.	Year	Amount (in Rs.)	
	15.1	1st year		

	15.2	2nd Year	
	15.3	3rd Year	
16	Total amount of the cess paid (Sl. No. 14 + Sl. No. 15)		
17.	Amount of outstanding cess (Sl. No. 13 – Sl. No.16)		
18	Proof of payment of outstanding cess, if any		
19.	Amount of overpaid cess, if applicable		
20.	In case overpaid, details of the bank account in which excess amount is to be refunded		
21.	Remarks, if any		

Declaration

1. I/We hereby declare that the particulars given above are true to the best of my/our knowledge and belief and I/We hereby declare that nothing has been concealed or any fact has been mis-represented in the above calculation made by me/us.

2. I/We hereby declare that I/We am/are quite aware of the penal provisions of the Code on Social Security, 2020 and if in future anything mentioned in the above self-assessment of cess amount, is found to be incorrect or inappropriate or any incidence of hiding the facts or under calculation of cess amount is found, punitive action may be taken against me/us.

Signature and seal of employer

Name:
Date:
Place:
Mobile Number:
E-mail (if any):

Certified by Chartered Engineer

Along with his registration number, duly stamped.

FORM – XIX

[See rule 44(1)of the Social Security(Central) Rules, 2026 and section 105 of the Code on Social Security, 2020)

Proforma for appeal before the Appellate Authority against Order of assessment or Order imposing penalty

1	Name and address (permanent) of the establishment.	
2	Name of the employer and address details	
3	Name and address/ location of place where the building or other construction is proposed to be carried on.	
4	Name, designation and address of the authorised Person along with contact details	
5	Correspondence address for the proposed building or other construction work	
6	Nature of proposed construction work	
7	Date of commencement of work(in case construction	

	has started)			
8	Date of completion of work			
9	Duration of work			
10	Total completed area of construction work			
11	Total estimated cost of the construction based on the rates of (PWD or CPWD or RERA or some other rates, as the case may be) along with documents (original) as per Rule 41.			
12	Total incurred cost of the construction work			
13	Total amount of cess payable		%age of total incurred cost of the construction as notified by the Central Government	Total cess payable (in Rs.)
14	Advance cess paid, along with details (at the time of approval of the Project or before the commencement of the construction work) /deduction at source, if any			
15	Details of cess paid (when duration of the proposed construction work is more than one year)			
	Sl.No.	Year	Amount (in Rs.)	
	15.1	1st year		
	15.2	2nd Year		
	15.3	3rd Year		
16	Total amount of the cess paid (Sl. No. 14 + Sl. No. 15)			
17	Amount of outstanding cess (Sl. No. 13 – Sl. No.16)			
18	Proof of payment of outstanding Cess, if any			
19	Amount of overpaid cess, if applicable			
20	Amount of cess assessed by the Assessing Officer			
21	Amount of outstanding cess to be paid by the employer			
22	Amount of penalty for non-payment of cess imposed / outstanding cess claimed by the assessing officer.			
23	Ground for appeal with supporting documents			
24	Remarks, if any			

Declaration

1. I/We hereby declare that the particulars given above are true to the best of my/our knowledge and belief and I/We hereby declare that nothing has been concealed or any fact has been mis-represented in the above calculation made by me/us.
2. I/We hereby declare that I/We am/are quite aware of the penal provisions of the Code on Social Security, 2020 and if in future anything mentioned in the above self-assessment of cess amount, is found to be incorrect or inappropriate or any incidence of hiding the facts or under calculation of cess amount is found, punitive action may be taken against me/us.

Signature and seal of employer

Name:
Date:
Place:
Mobile Number:
E-mail (if any):

FORM – XX

[See rule 49(3)(a)]

Format for self- assessment of contribution by aggregators of gig workers or platform workers (to be submitted by 30th June of the current year in which the contribution is payable.)

1	Registration number (LIN) of Aggregator	
2	Name of the Aggregator and address/ location of Aggregator	
3	Name and address of the authorised person along with contact details	
4	Number of gig workers or platform workers engaged with the Aggregator as on opening day of the current financial year, i.e. 1st day of April in the year in which contribution is payable.	
5	Annual turnover of such aggregator of the preceding year	
6	Provisional contribution assessment (tick whichever is applicable) -	
	6.1	% of the annual turnover as notified under sub-section (4) of section 114 for the preceding year
	6.2	5% of amount paid or payable to gig workers and platform workers, by the aggregator during the preceding year.
7	Amount of contribution payable (in Rs.)	
8	Payment of provisional contribution as assessed above.	
9	Details of the provisional payment	
10	Remarks, if any	

Note: For this purpose, the annual turnover of an aggregator shall not include any tax, levy and cess paid or payable to the Central Government.

Declaration

I/We hereby declare that the particulars given above are true to the best of my/our knowledge and belief and I/We hereby declare that nothing has been concealed or any fact has been mis-represented in the above calculation made by me/us.

Signature of authorised person
Along with seal and stamp

Name:
Date:
Place:
Mobile Number:
E-mail (if any):

FORM – XXI

[See rule 49 (3)(b) and (c)]

Format for return to be submitted by Aggregators of gig workers or platform workers (to be submitted by 31st October, of the current year in which the contribution is payable.)

1	Registration number (LIN) of Aggregator		
2	Name of the aggregator and address/ location of aggregator		
3	Name and address of the authorised person along with contact details		
4	Number of gig workers or platform workers engaged with the aggregator as on opening day of the current financial year, i.e. 1st day of April in the year in which contribution is payable.		
5	Annual turnover of such aggregator of the preceding year		
6	Final contribution assessment after audited statement of account		(Amount in Rs.)
	6.1	% of the annual turnover as per notification under sub-section (4) of section 114 for the preceding year	
	6.2	5% of the liability of the aggregator to gig workers and platform workers	
7	Amount of contribution payable (in Rs.)		
8	Amount paid as provisional contribution based on self-assessment**.**		
9	Details of the provisional payment (along with receipt)		
10	Amount of outstanding contribution to be paid (Sl. No 7- Sl.No. 8)		
11	Proof of payment of outstanding contribution, if any		
12	Amount of excess paid contribution, if any		
13	In case excess paid, details of the bank account in which excess amount is to be refunded		
14	Remarks, if any		

Note: For this purpose, the annual turnover of an aggregator shall not include any tax, levy and cess paid or payable to the Central Government.

Declaration

I/We hereby declare that the particulars given above are true to the best of my/our knowledge and belief and I/We hereby declare that nothing has been concealed or any fact has been mis-represented in the above calculation made by me/us.

Signature of authorised person
Along with seal and stamp

Name:
Date:
Place:
Mobile Number:
E-mail (if any):

FORM – XXII

[(See rule 53 (1)(a))]

REGISTER OF WOMEN EMPLOYEES

1. Name of establishment
2. Name of woman and her father's (or, if married, husband's) name.
3. Date of appointment.
4. Insurance No.(in case covered under ESIC)
5. Provident Fund Registration No.(in case covered under EPFO)
6. Nature of work.
7. Dates with month and year in which she is employed, laid off and not employed.

Month	No. of days employed	No. of days laid off	No. of days not employed	Remarks
a	b	c	d	e

8. Date on which the woman gives notice under section 62.
9. Date of discharge/dismissal, if any.
10. Date of production of proof of pregnancy under section 62.
11. Date of birth of child.
12. Date of production of proof of delivery/miscarriage/medical termination of pregnancy/ tubectomy operation /death / adoption of child.
13. Date of production of proof of illness referred to in section 65.
14. Date with the amount of maternity benefit paid in advance of expected delivery.
15. Date with the amount of subsequent payment of maternity benefit.
16. Date with the amount of bonus, if paid, under section 64.
17. Date with the amount of wages paid on account of leave under sub-section (1) and (3) of section 65.
18. Date with the amount of wages paid on account of leave under sub-section (2) of section 65 and period of leave granted.
19. Name of the person nominated by the woman under section 62.
20. If the woman dies, the date of her death, the name of the person to whom maternity benefits and/or other amount was paid, the amount thereof, and the date of payment.
21. If the woman dies and the child survives, the name of the person to whom the amount of maternity benefit was paid on behalf of the child and the period for which it was paid.
22. Signature of the employer of the establishment authenticating the entries in the register of women employees.
23. Remarks column for the use of the Inspector-cum-Facilitator.

FORM XXIII

[(See rule 53(5)]

ANNUAL RETURN

FOR THE YEAR …….ENDING 31st December

Single annual integrated return to be filed online under the Occupational Safety, Health and Working Conditions Code, 2020(37 of 2020)**, the Code on Industrial Relations, 2020**(35 of 2020)**, the Code on Social Security, 2020**(36 of 2020)**, and the Code on Wages, 2019**(29 of 2019) **and the rules made there under.**

Instructions for filling up the Annual Return

(1) This return shall be filled-up and furnished on or before the 28th or 29th day of February every year.

(2) This return consists of two parts i.e. Part-I , which shall be filled up by all establishments.

(3) Part-II shall be filled-up only by the establishments that are Mines in addition to Part-I.

(4)The terms "establishment" and "mines" shall have the same meanings as assigned to them in the respective Codes.

(5)This return shall be filled-up in the case of contractor or manpower supplier who has engaged more than 50 workers and in the case of mines, even where one worker was employed during the relevant period.

Applicable to All Establishments - Part-I

A. General Information:

Sl. No.			**Instructions for filling the column**
1.	Labour Identification Number		EPFO, ESIC, MCA, MoLE (LIN)
2.	Period of the Return	From - To-	Period should be calendar year
3.	Name of the Establishment		
4.	Email ID (employer)		
5.	Telephone No. (employer)		
6.	Mobile number (employer)		
7.	Premise name		
8.	Sub-locality		
9.	District		
10.	State		
11.	Pin Code		
12.	Geo Co-ordinates		
B(a).	**Hours of Work in a day**		
B(b).	**Number of Shifts**		

	Number of hours in a shift	

C. Details of Manpower Deployed

Details	**Directly employed**				**Employed through Contractor**				**Grand Total**
Skill Category	**HighlySkilled**	**Skilled**	**Semi-Skilled**	**Un-Skilled**	**Highly Skilled**	**Skilled**	**Semi-Skilled**	**Un-Skilled**	
(i) Maximum No. day during the year	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	
(ii) Average No. the year	No. to be indicated	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	
(iii) Maximum number of Migrant Worker during the year (Section 59 of OSH&WC Code)	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	
(iv) Number of fixed term employee engaged	M/F/T	M/F/T	M/F/T	M/F/T					

D. Details of contractors engaged in the Establishment:

Sl. No.	Name with LIN of the Contractor	No. of Contract Labour Engaged

E. Details of various Health and Welfare Amenities provided.

Sl. No.	Nature of various welfare amenities provided	Statutory (specify the statute)	Instructions for filling
1.	Whether facility of Canteen provided (as per section24(v) of OSH&WC Code, 2020)	Tick yes or no in the box and not applicable	Applicable to all establishments wherein hundred or more worker including contract labour were ordinarily employed
2.	Crèches(as per section 67of Code on Social Security Code, 2020 and section 24 of the OSH&WC Code 2020)	Tick yes or no in the box and not applicable	Applicable to all establishments where fifty or more workers are employed

2 a	If 2 above is not given than whether Crèches allowance under Rule.. of Social Security Code given.	Tick yes or no in the box and not applicable	Reference rule.. on Social Security
3.	Ambulance Room(as per section 24(2)(i) of OSH&WC Code, 2020)	Tick yes or no in the box and not applicable	Applicable to mine, building or other construction work wherein more than five hundred workers are ordinarily employed
4.	Safety Committee (as per section 22(1) of OSH&WC Code, 2020.	Tick yes or no in the box and not applicable	Applicable to establishments and factories employing 500 workers or more, factory carrying on hazardous process and BOCW employing 250workers or more, and mines employing 100 or more workers.
5.	Safety Officer (as per section 22(2) of OSH&WC Code, 2020)	No. of safety officers appointed	In case of mine100 or more workers, in case of BOCW 250 or more workers and in case of dock work 500 or more workers are ordinarily employed.
6.	Qualified Medical Practitioner (as per section12 (2) of OSH&WC Code 2020.	No. of Qualified Medical Practitioner appointed.	There is no specification for minimum number of Qualified Medical Practitioner employed in establishment. However, this detail is required to have data on occupational health.

F. The Industrial Relations:						**Instructions for filling**
1.	Is the Works Committee has been functioning.(Section 3 of IR Code, 2020)				Yes/No and not applicable	Industrial establishment in which 100 or more workers are employed
(a)	Date of its constitution.					
2.	Whether the Safety Redressal Committee constituted (Section 4 of IR Code, 2020)				Yes/No and not applicable	Industrial establishment employing 20 or more workers
3.	Number of registered Unions in the establishments.					
4.	Whether any negotiation union exist(Section14 of IR Code,2020)				Yes/No	
5.	Whether any negotiating council is constituted (Section 14 of IR Code, 2020)				Yes/No	
6.	Number of workers discharged/dismissed, retrenched or whose services were terminated during the year:					
	Dismissed	**Retrenched**	**Discharged /Terminated or Removed**	**Grand Total**		
7.	**Man-days lost during the year on account of**					
Sl. No.	Reasons	Period /Date	No. of man-days			

			lost		
(a)	Strike				
(b)	Lockout				

8.	**Details of retrenchment / lay off**				
Sl. No.	No. of persons retrenched during the period	Details of payment paid to retrenched employees	No. of workers laid off during the period	No. of man-days lost due to lay-off	Applies on industrial establishment employing 300 or more workers

G. Details pertaining to maternity benefit:				
No. of f	No. of female employees availed maternity leave	No. of female employees paid medical bonus	No. of deduction of wages, if any made from female employees	

H. Details of payment of bonus:			
Sl. No.	No. of employees covered under the Bonus provision	Total amount of bonus actually paid	Date on which the Bonus paid

I. Details of accidents, dangerous occurrence and notifiable diseases:				
Sl. No.	Total number of accidents by which a person injured is prevented from working for a period of 48 hours or more as per section 10 of the OSH&WC Code, 2020.	Total number of fatal accidents and names of the deceased as per Section 10 of the OSH&WC Code, 2020.	Total number of Dangerous Occurrences as defined under Section 11 of the OSH&WC Code,2020	Total number of cases of Notifiable Diseases specified in Third Schedule of the OSH&WC Code, 2020 along with the details of affected persons

J. Man days and production lost due to accidents / dangerous occurrences			
Sl. No.	**Accident/Dangerous Occurrence**	**Man days lost**	**Production Lost**

Part II (For Mines)

A. General information		
1.	Establishment Name	
2.	Name of Company/ Name of Owner	
3.	Type of organization (drop down)	PSU Central/ PSU State/ Private/
4.	Type of ownership (drop down)	Firm/Association/Individual/Partnership/Company
5.	Type of Mineral (drop down)	Coal/Metal/Oil

6.	Name of Mineral	
7.	Type of Mine (drop down)	Belowground/ Opencast/ Aboveground/Mixed/OffShore/OnShore
8.	Date of opening	To be filled for first time
9	Mine Code	To be filled for first time
10.	Date of closing (if any)	NA/ Calendar to be given
11.	Date of reopening (if any)	NA/ Calendar to be given
12.	Depth of working in mts.	Maximum Depth: Minimum Depth:

B. Statutory personnel employed in the mine (as on 31st December)

Sl. No.	Designation as per Code	Number of Statutory Persons required	Number of Statutory Persons employed
1.			

C. Method of Working vis-a-vis Safety Parameters

1	Name of Method (Specify the name) (as per drop down menu)		
2	Quantity of mineral Produced in Cu.m./Tonne		
3	Quantity of Waste/overburden removed in Cu.m./Tonne		
4	Stage of Working (as per drop down menu)	Development/Extraction/Mixed	
5	Permissible Void in Cu.m.		For extraction stage
6	Actual Void in Cu.m.		For extraction stage
7	Area of overhang		For extraction stage
8	Maximum Inflammable gas released in Cu. Meter per ton of coal produced		For Development stage
9	Overall Pit slope		For Opencast mines
	Individual entry for each Pit		
10	Overall dump slope		For Opencast mines
	Individual entry for each Dump		
11	Area of fire in Sq. m.		
12	Length of embankment required to be provided against the water body		
13	Length of embankment provided against the water body		

14	Length of fencing required/provided as per statute		
15	No. of opening required to be sealed in case of abandoned mines:		
16	No. of Openings sealed in case of abandoned mines:		
17	Number of Mock drills conducted and date of same with coverage of employees		
18	No. of Oil/Gas wells: under drilling/ under production/ under work over (as per drop down menu)		For Oil and gas mines
19	No. of wells where production discontinued		For Oil and gas mines
20	If Yes to pt. 19 above, Action taken		
21	Action Taken in respect of Wells where production has been discontinued		For Oil and gas mines
22	Maximum Quantity of explosive used in any day (in Kgs.)		For all types of mine
23	Whether Building or Structures not belonging to owner lies within danger zone?	Yes/No/NA	For Coal & Metalliferous Mines
24	Aggregate HP/KW of machineries installed/deployed in the mine for the year		For all types of mine

D. Medical examinations - Initial/Periodical (IME/PME):

During the year, total number of persons including contractual workers:

Particulars	Total No. of Persons
Undergone IME	
Undergone PME	
Declared medically Temporary unfit	
Given alternate Employment due to Medical unfitness	
Terminated on account of being medically unfit	

E. Details of Vocational training imparted:

During the year, total number of persons including contractual workers:

Particulars	Total No. of Persons
Imparted Basic Vocational Training	
Imparted Refresher Training	
Imparted special Training	

F. Details of Accident, Dangerous Occurrence and Occupational Diseases :

(1) Details of Accidents and Dangerous Occurrences:

Sl. No.	Date of Accidents/Dangerous Occurrences	No. of persons killed	No. of persons received Serious Bodily Injury	Number of persons injured (Excluding Serious Bodily Injury) and thereby prevented from working for a period of 48 hours or more	Nature of Occurrence	Mandays lost
1.						

(2) Details of Occupational diseases:

Sl. No	Notified Disease	No. of cases
1		

G. Details of Safety Management Plan:

(a) Safety Management Plan Prepared: (Yes/No/NA)
(b) Date of Submission : Date
(c) Last date of review of Safety Management Plan: Date
(d) Principal Hazards Identified:

Sl. no.	List of Principal hazards identified	Principal hazard Mitigation date	Principal hazard not mitigated till 31st December	Reasons for failure to mitigate the same
1.				

H. Mines Rescue Station: (For Belowground Mines Only)

A. For Mine: (To be filled by mine owner)

(i) Address of the Rescue Station with Geo-coordinates serving the mines;
(ii) Distance of the Rescue Station from mine opening; -----(in KM)
(iii) Whether a mine Rescue Station has been established by the mine ? (Yes/No)

Mines Rescue Station: (For Belowground Mines Only)

(For Rescue Station)

For Mine Rescue Station **(**To be filled by the Superintendent of the Rescue Station)

(i) Name of the owner of the mine at which the Mine Rescue Station is located:
(ii) Address of MRS:
(iii) Name of the Superintendent :
(iv) Details of the mine served by the Rescue Station:

Sl. No.	Name of the Mines	Distance of the Mine from MRS (in Kms)

(v) Details of Personnel Deployed at Rescue Station;

Sl. No.	Designation as per Code	Number of statutory persons required	Number of statutory persons employed

(vi) Details of Equipment/Apparatus :

Sl. No.	Type of Equipment/Apparatus required	Numbers of Equipment/Apparatus available

(vi) Particulars of Emergency Attended:

Sl.No.	Name of the Mine	Nature of Emergency	Response Time (time taken by rescue services to attend the emergency)	Time taken for Rescue & Recovery	Action Taken

(vii) Additional Information :
(a) Number of Rescue Rooms :
(b) Number of Rescue Trained Persons Required :
(c) Number of Rescue Trained Person available :
(d) Whether Canteen facility exist or not? (Yes/No):

Certified that the tables are duly filled in and the information and figures furnished therein are correct to the best of my knowledge.

Signature of Employer/Occupier/Owner/Agent/Manager

Place:

Dated:

PART III

ANNUAL RETURN period ending 31st December

(to be submitted by the principal employer on Shram Suvidha Portal)

1. Name of the principal employer:

2. Name of the establishment:

3. Registration number (LIN) of the establishment:

4. Details of the Contractors, wages paid, etc.:

Sl.	Month	Name and address of the contractors	LIN of the contractor	Name of the work	Maximum number of contract labour employed	Amount paid against wage bill (if applicable) to the contractor (including EPF, ESIC, Bonus etc.)	Date of payment of wage bill (if applicable)	Amount of the wages paid directly to the contract labour by Principal Employer (in case the contractor fails to pay)	Date of payment of wages paid directly to the contract labour by Principal Employer (in case the contractor fails to pay)	Remarks

Signature of the principal employer

Date:

PART IV

Shram Shuvidha Portal **Ministry of Labour and Employment** **Self-Declaration form for EPFO/ESIC Contribution** **Year: ___**	
PAN No: LIN:(*Auto-Populated*)	
EPF Code No. (Auto-Populated)(Editable): Branch Code Nos. (Auto-Populated)(Editable):	ESI Code No.(Auto-Populated)(Editable): Sub Code Nos. (Auto-Populated)(Editable):

Statement of salary/wages and contribution in r/o of EPFO

1	2	3	4 =(2+3)	5	6	7	8=(5+7)	9	10	11	12=(9-10)	13
Month & Year	Total No. of employees eligible for membership under SS Code/ Scheme	Total no. of employees not eligible for membership under SS Code/scheme	Total no. of employees employed	Total Wages paid to employees eligible for membership under SS Code/scheme	Total EPF Wages paid to employees eligible under SS Code/scheme	Total Wages paid to employees not eligible under SS Code/scheme	Total wages paid to all employees	Total Contribution Payable (Based on column 6)	Total contribution paid	Date of payment	Balance to be paid	No. of employees to whom dues to be paid
04/20..												
05/20..												
06/20..												
07/20..												
08/20..												
09/20..												
10/20..												
11/20..												

12/20..												
01/20..												
02/20..												
03/20..												

- *Upload Salary sheet of contribution details of all members as per* ***Form-VIIIB(Register of Wages, Overtime & Dedcution)***

	Details of Employees non-enrolled but eligible to be member:							
Sr. No	Name of Employee	Gender	Aadhaar Number	Father's Name	Date of Birth	Date of Joining	Date of Exit(If already left)	Wages paid

Contractors details:						
S.No.	Name & Address of the contractor	EPF code No.	ESI code No.	Nature of work	Maximum Number of employees employed during any day	Total payment made during the FY

*<*contractor details may be pre-filled from CLC Licence data if available with option to add other contractors>*

Details of tax benefit claimed by employer by way of contribution towards a recognized provident fund or an approved superannuation fund u/s 36(1)(iv) of Income Tax Act:

Financial Year	Contribution	Tax benefit

UPLOAD DCOUMENTS:

S. No.	DOCUMENT Name	*<upload field in portal>*
1.	Balance Sheet*	• *<upload field for Balance Sheet of the financial year>*
2.	Form 26AS*	• *<upload field for Form 26AS of the financial year>*
3.	Form 26Q*	• *<upload field for Form 26Q of the financial year>*

**mandatory field*

(Signature of the Employer/authorized representative)

***Section 36(1)(iv) of Income Tax Act:**

any sum paid by the assessee as an employer by way of contribution towards a recognised provident fund or an approved superannuation fund, subject to such limits as may be prescribed for the purpose of recognising the provident fund or approving the superannuation fund, as the case may be; and subject to such conditions as the Board may think fit to specify in cases where the contributions are not in the nature of annual contributions of fixed amounts or annual contributions fixed on some definite basis by reference to the income chargeable under the head "Salaries" or to the contributions or to the number of members of the fund;

FORM-XXIV

[See rule 54 (1), (2) and (3)]

Notice to the employer for an offence committed under the provisions of the Code for the first time for compounding of offences under sub-section (1) of section 138

Notice No…… Date:

On the basis of records and documents produced before me, the undersigned has reasons to believe that you, being the employer of the establishment…….. (Registration No…….), have committed an offence for the violation of provision of the Code or the Schemes or the Rules or the Regulations framed thereunder as per the details given below:-

PART – I

1.	Name of the person:	
2.	Name and Address of the establishment :	
3.	Registration No. of the establishment:	
4.	Particulars of the offence:	
5.	Provisions of the Code/Scheme/Rules/Regulations under which the offence is committed:	
6.	Compounding amount required to be paid towards composition of the offence:	
7.	Name and details of account for depositing the amount specified in serial no. 6:	

PART –II

In view of the above, you have an option to pay the entire amount mentioned in serial no. 6 in Part-I within fifteen days from the date of issue of this notice and return the application duly filled in Part – III of this notice.

In case the said amount is not paid within the specified time, necessary action for filing of prosecution shall be initiated without giving any further opportunity in this regard.

(Signature)
(Name and designation of Officer)

Date:
Place:
To:
……..(Employer/Establishment)
…….(Name and registration number)
…….(Address)

PART – III

[See rule 54 (2)]

Application under sub-section (4) of section 138 for compounding of offence

Ref: Notice No…….. Date:

The undersigned has deposited the entire amount as specified in serial 6 of Part-I and the details of payment are given below with a request to compound the offences mentioned in Part-I.

8. Details of the compounding amount deposited (Copy of electronically generated receipt to be attached):

9. Details of the prosecution, if filed for the violation of above-mentioned offences may be given:

10. Whether the offence is first offence or the applicant had committed any other offence prior to this offence, if committed, then, full details of the offence:

11. Any other information which the applicant desires to provide:

Signature of the applicant
(Name and Designation)

Date:
Place:
To:
……..(Compounding Officer)
……(Name of the Office)
…….(Address)

PART – IV

[See rule 54 (3)]

Composition Certificate

Ref: Notice No…….. Date:

This is to certify that the offence under sub-section ….. of section 133 in respect of which Notice No. Dated: _____ was issued to Sh……. (Applicant), the employer of ……. (name and registration number of establishment) has been compounded on account of remission of full amount of Rs …….. (Rupees _____) towards the composition of offences to the satisfaction of the said notice.

(Signature)
Name and Designation of the Officer

Date:
Place:
To:
……..(Employer/Establishment)
……(Name and registration number)
…….(Address)

FORM-XXV

[See rule 56 (1)(d) and 56 (3)(b)]

Form for reporting vacancies to career centres

(Separate forms to be used for each type of posts)

1	**Particulars of the employer:** Name: Address with pin code: Telephone No. : Mobile No.: Email address : Name and Type of Establishment (Central Government, State Government, PSU, Autonomous, Private, etc) Registration No of establishment under the Code: Economic activity details:		
2.	**Particulars of the indenting officer:** Name: Designation: Telephone No. : Mobile No.: Email address :		
3.	**Particulars of vacancy(ies):** a. Designation/nomenclature of the vacancy(ies) to be filled b. Description/Nature of duties of the post c. Sector (job role/functional role)		
	d. Qualifications/Skills required (educational, technical, experience)	Essential	Desirable/Preferable
	i. Educational qualifications ii. Technical qualifications iii. Skills iv. Experience		
	e. Age limits, if any (Age as on last date of application)		
	f. Preferences (such as ex-servicemen, persons with disabilities, women, etc) if any		
	g. Number of vacancies		
	h. duration of employment (i) 3-6 months (ii) 6-12 months (iii) 12 months and more	Number of posts	
	i. Probationary Period, if any and pay and allowances during that period		

	j. Provision, if any for pension/Provident fund:		
	k. Hours of work, holidays, shifts, promotional opportunities:		
	l. Travelling Allowance:		
	m. Facilities provided by Employer: i. Housing facilities: ii. Living conditions at the place of work: iii. Educational facilities and medical facilities at the place of work:		
	n. Last date to apply:		
4	**Whether there is any obligation for arrangement for giving reservation/ preference to any category of persons such as Scheduled Castes (SCs), Scheduled Tribes (STs), Economically Weaker Sections (EWSs), Other Backward Classes (OBCs), Ex-serviceman and persons with disabilities (pwd) , etc, in filling up the vacancies:** Yes/No (if yes, give the number of vacancies to be filled by such categories of persons as detailed below)		
	Category	Number of vacancies to be filled	
		Total	*By Priority candidates *(Applicable for Central Government vacancies)
	(a) Scheduled Caste (b) Scheduled Tribe (c)OBC (d)EWS (e) Ex-Serviceman (f) Persons with disabilities (pwd) (g) women (h) Others(specify)		
5.	**Pay and Allowances:** For Government vacancies: Mention pay level/pay scale of the post with basic pay/pay per month with other details, if any. For others: Mention minimum total emoluments per month with other allowances details, if any.		
6.	Place of work/Job Location (Name of the town/village and district, pin code ,etc. in which it is situated)		
7.	Mode of application(email, online, in writing, etc) and last date for receipt of applications.		
8.	Particulars of Contact person/officer to whom the applications be sent/candidates should approach (Mention Name, designation, email id, address , Mobile No., website address in case of online)		
9.	Place of Interview		
10	Mode of recruitment {Through career centre, placement agency , self-management, any other mode(specify) }		
11	Would like to obtain list of eligible candidates registered with Career Centre	Yes/No	
12	Any other relevant information		

Signature, Name and Designation of authorised signatory of establishment/ employer with seal and date

(For Official Use- to be filled by Career Centre)

13	Name, address, email id of the Career Centre	
14	Date of receipt of Vacancies	
15	NIC Code of the establishment/	
16	NCO Code of the post	
17	Unique Vacancy ID(number)	
18	Order No./ Diary No.	

Signature

Name& Designation of Authorised Signatory

of Career Centre with seal & date

NOTE:

1. Career Centre to which the vacancies are reported, would provide a unique vacancy reporting number for the vacancy reported andconvey it to the employer in writing, through email or digitally or through any other such media immediately but in any case not later than seven working days from the date of receipt of reporting of vacancies in north-eastern States and three working days in other States.
2. An employer, if advertises that vacancy in any media or makes recruitment through any agency or any other mode, may invariably quote that unique vacancy reporting number in that advertisement or recruitment process.
3. Any change in the particulars already furnished to the Career Centre, shall bereported in writing or through valid official email or digitally (including through a portal) as the case may be, to the appropriate Career Centre.

FORM-XXVI

[See rule 56(1)(d) and 56 (6)]

Form EIR (Employment Information Return)

YearlyReturn to be submitted to the Career Centre (Regional) for the Yearended…….

The following information is required to be submitted under the Code on Social Security, 2020 (Chapter XIII – Employment Information and Monitoring).

Name and address of the employerwith Pin code	
Email ID of the Employer	
Mobile No. / Contact No. of the Employer	
Name of Establishment	
Type of Entity (Factory, shop, commercial office, mine, plantation, etc.)	
Type of Ownership (Firm/Association/Individual/Partnership/Company, etc.)	
Whether – Head Office If yes, specify	

Branch Office If yes, specify (a) (b) (c)	
Type of Establishment {Public Sector (Central) / Public Sector (State) / Private Sector}	
Nature of business/principal activity	
Labour Identification Number – (LIN Number)	
Establishment Registration No. under the Code	

1. (a) **EMPLOYMENT**

Total number of *manpower of establishment* including working *proprietors/partners/contingent* paid and contractual workers, out-sourced workers excluding part-time workers and apprentices. (The figures should include every person whose wage or salary *is paid).*

Category	On the last working day of the previous Year			On the last working day of the Year under report		
	Highly Skilled	Skilled	Semi-Skilled	Highly Skilled	Skilled	Semi-Skilled
Men Women Other (Transgender) TOTAL : PWD(persons with disabilities) out of above total						

2. **Number of vacancies* occurred and reported to career centre during the year and the number of vacancies filled during the year**

Occurred	Reported		Filled	Source (career centre/ NCS Portal/ Govt. Recruiting Agencies/ Private Placement Organisations/ others)
	career centre (Regional)	career centre (Central)		
1	2	3	4	5

*As per the provisions of the Code on Social Security, 2020 (Chapter XIII) and rules made thereunder.

3. **MANPOWER SHORTAGES:**

Vacancies/posts remained unfilled because of shortage of suitable applicants.

Name of the occupation or designation of the post	Number of unfilled vacancies/posts		
	Skill/ qualifications (educational / technical/ experience) prescribed	Essential	Desirable
1	2	3	4

(Please list any other occupations also for which this establishment had any difficulty in obtaining suitable applicants recently.)

4. Estimated Manpower Requirement by Occupational Classification during the next financial year (Please give below the number of employees in each occupation separately).

Occupation	**Number of employees** Please give as far as possible approximate number of vacancies in each occupation you are likely to fill during the next financial year due to retirement/ expansion or re-organisation.				
Description	Men	Women	Others (trans-gender)	Total	PWD (persons with disabilities) out of total
1	2	3	4	5	6
*					
Total :					

* In the column(description) -Use exact terms such as Engineer (Mechanical),Assistant Director(Metallurgist);Research Officer (Economist);Supervisor (Tailoring),Inspector(Sanitary), Superintendent (Office) , Manager(Sales), Manager(Accounts), Executive(Marketing), Data Entry Operator.....so on.

Signature, Name and Designation of Authorised Signatory
of establishment/ employer with seal and date

To

The Career Centre,
……..

Note:- 1. This return is to be rendered to the Career Centre (Regional) within 30 days after the end of the *financial year*concerned by establishments/employers vide their obligation under the Code on Social Security, 2020(Chapter XIII-Employment Information and Monitoring).

2. The main purpose in obtaining the information from employers is to know (i) the vacancies/employment opportunities available; (ii) type of personnel who are in short supply; and (iii) future job opportunities for providing vocational guidance to the jobseekers and connecting them with the employers. This is helpful in ascertaining the skill needs also. Employers too will be able to call on the Career Centres for getting suitable candidates as per their requirements.

Form-XXVI(~~A~~)

[See Rule 56 (1)(d)]

Form for reporting of Job seeker Information

Sr. No.	**Particulars**	**Description**
1.	Name:	
2.	Father's Name:	
3.	Mother's Name:	
4.	Date of Birth:	
5.	Place of Birth:	
6.	Aadhaar No. of Jobseeker:	
7.	Mobile:	
8.	Gender:	i. Male ii. Female iii. TG (Transgender)
9.	Location:	i. Rural ii. Urban
10.	Marital Status:	i. Married ii. Unmarried iii. Divorced iv. Widow v. Widower
11.	Category:	i. General ii. SC iii. ST iv. O.B.C.

12.	Religion:	i. Hindu ii. Muslim iii. Christian iv. Sikh v. Others
13.	Reservation Category:	i. PwD (Differently abled) ii. Ex-Serviceman iii. EWS
14.	i. If differently abled: Disability type: (OH/VH/HH/PwBD other) ii. Disability percentage: a. Below 40% b. 40-60 % c. 60-80% d. Above 80%	
15.	# Employment Status:	i. Employed ii. Unemployed iii. Self- Employed iv. Student
16.	Language Known: (Primary Language)	

	Language	Read	Speak	Write
1.				
2.				
3.				

17.	Physical Fitness: i. Height (in cms.): ii. Chest (in cms.): iii. Weight (in kgs.): iv. Eye Sight: v. Partial Disability: क. Blind: ख. Deaf:	

	ग. Dumb:	
18.	Address with pin code:	
19.	Qualification: (Starting from Highest Education)	

	Passed Exam	Subject Code	Boards/Uni./ School Name	Year	Class Div. Grade	Certificate No.

	Other Training/ Key Skills:	
20.	Medium of Education:	
21.	Specialization / Major:	
22.	Additional Course/Certificate i. Name: ii. Year: iii. Issued by:	

<table>
<tr><td>23.</td><td colspan="5">Professional Desired Employment:</td><td colspan="4"></td></tr>
<tr><td>24.</td><td colspan="5">Vocational Guidance:</td><td colspan="4">Yes/No

If Yes, Trade Code:</td></tr>
<tr><td>25.</td><td colspan="9"># Work Experience</td></tr>
<tr><td rowspan="2"></td><td rowspan="2">Sector Code</td><td rowspan="2">Organisation Type</td><td rowspan="2">Designation</td><td rowspan="2">Specialization</td><td colspan="2">Period</td><td colspan="2">Experience Certificate</td></tr>
<tr><td>From</td><td>To</td><td>Yes</td><td>No</td></tr>
<tr><td></td><td></td><td>Central/State/ Central PSU/State PSU/Local Bodies/ Autonomus/ Company/ NGO/ Partenship/ Proprietorship/ Others</td><td></td><td></td><td></td><td></td><td></td><td></td></tr>
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<tr><td>26.</td><td colspan="5">Available to Join (in days):</td><td colspan="4"></td></tr>
</table>

27.	To be filled by Ex-Serviceman: Number: . Joining Date: i. Release Date:	
28.	Reasons for leaving Job:	
	Self Employment (To be filled by the candidate interested in Self employment)	
1	Are you currently self employed	Yes/No If Yes, Specify details:
2	(i) Loan availed previously for Self Employment: If yes, क. Bank Name ख. Branch (ii) Defaulter: If yes, क. reason for late payment ख. Balance amount	Yes/No Yes/No
3	Are you interested in Self Employment: If yes, Desired self Employment:	Yes/No
4	Are you or your family member defaulter of any finance institute or bank: If yes, i. Bank Name: ii. Branch: iii. Outstanding Balance:	Yes/No
All the above information is based on my inputs and is true to the best of my knowledge.		

Note: # Furnishing of information to item no. (15&25) will not affect your prospects of obtaining employment through employment exchanges.
To be filled by those interested in seeking placement services in the Police Department, Paramilitary Forces/Armed Forces etc.

FORM-XXVII

[See rule 59(1)]
Application for Compensation

To
The Competent authority for Employee's Compensation.

Applicant residing at
Versus
OppositeParty residing at

It is hereby submitted that:-

(1) The applicant, an employee employed by (a contractor with) the opposite party on the ___ day of ___ 20__ received personal injury by accident arising out of and in the course of his employment. The cause of the injury was (here insert briefly in ordinary language the cause of the injury)

(2)The applicant sustained the following injuries namely:--

(3) The monthly wages of the applicant amounttoRs.___. The applicant is over/under the age of 15 years.

(4) (a) Notice of the accident was served on the ___dayof____
(b) Notice was served as soon aspracticable.
(c)Notice of the accident was not served (in due time) by reasonof.

(5) The applicant is accordingly entitled to receive:--
(a) half monthly payment of Rs.__from the_____20____to ___
(b) a lump sum payment ofRs. ____

(6)The applicant has taken the following steps to secure a settlement by agreement, namely,-
_ _ _ butithasprovedimpossibletosettlethequestionindisputebecause .

*You are therefore requested to determine the following questions in dispute, namely: --

(a)Whether the applicant is an employee within the meaning of theCode;
(b)Whether the accident arose out of or in the course of the applicant's employment;
(c)Whether the amount of compensation claimed is due, or any part of that amount;
(d)Whether the opposite party is liable to pay such compensation as isdue;
(e)etc., (asrequired)

Date__20.

Applicant

* Strike out the clauses which are not applicable.

FORM-XXVIII

[See rule 59(2)]

Certificate by the applicant

To

The Competent authority for Employee's Compensation

It is hereby submitted that: -
I/We hereby declare that the particulars given in Form XXVII are true to the best of my/our knowledge and belief and I/We hereby declare that nothing has been concealed or no fact has been mis-represented in the above said form made by me/us.

Dated:

Applicant.

FORM-XXIX

[See rule 58(1)]

Whereas a claim for compensation has been made by ..... (applicant) against.....and the said applicant has claimed that he is entitled to file an application under clause (b) or (c) of sub-section (1) of section 92 of the Chapter VII under the Code on Social Security, 2020;

And whereas the undersigned is satisfied that the said applicant is entitled to file the aforesaid claim;

Now, therefore, the competent authority for Employees Compensation...../Government of..... is hereby given notice that the undersigned proposes to settle the claim of the applicant as provided under the Code.

Dated: Competent authority

FORM-XXX

[See rule 62(1)]

To

.....

Sir,

The report about an accident which occurred on.....at.....(here enter details of premises) and which resulted in death/disablement of the employee is furnished as given below :—

1. (a) Name of the employee ---------- Sex --------- Age ----------
   (b) Monthly wages
   (c) Nature of employment
   (d) Name of the employer
   (e) Full postal address of the employee/dependants (local and permanent both).
   (f) Full postal address of the factory/establishment where its registered office is located.

2. The circumstances leading to death/disablement of the employee :—
(a) Time of the accident
(b) Place where the accident occurred
(c) Manner in which deceased was/were employed at that time
(d) Cause of the accident

3. The amount of money deposited by the employer with the competent authority under section 81.

4. (a) Details of compensation paid, if any
(b) Particulars of money invested for the benefit of dependants of deceased employee.

5. Documents forwarded (in original) as under :—

(a) Death certificate
(b) Disablement certificate from the competent medical authority
(c) Receipt for Deposit of Compensation by the employer
(d) Statement of Disbursement
(e) Receipt of compensation from the employee/dependants
(f) Memorandum of Agreement, if any

[F. No. R-11011/03/2020-SS-II]

ASHUTOSH A.T. PEDNEKAR, Jt. Secy.

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Date: 2024.05.08 22:01:34 +05'30'

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಕುಸುಮ ಆರ್.ವಿ.)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-24

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 13 ಕೇನಿಪ್ರ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ:22.06.2026.

ದಿನಾಂಕ: 08.05.2026ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Occupational Safety, Health and Working Conditions (Central) Rules, 2026ನ GSR 345 (E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರುಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF LABOUR AND EMPLOYMENT

NOTIFICATION

New Delhi, the 8th May, 2026

G.S.R. 345(E).—Whereas the draft of the rules, as required under sections 133 and 134 of the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020) was published in the Official Gazette *vide* G.S.R 934 (E), dated the 30th December 2025 inviting objections and suggestions from all persons likely to be affected thereby on or before the expiry of a period of forty-five days from the date on which the copies of the Official Gazette containing the said notification were made available to the public;

And whereas the copies of the Gazette notification were made available to the public on the 30th December, 2025;

And whereas the objections and suggestions received from the public in respect of the draft rules have been duly considered by the Central Government;

Now, in exercise of the powers conferred by sections 133 and 134 of the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020) and in supersession of the-

1. Dock Workers (Safety, Health and Welfare) Rules, 1990;
2. Building and Other Construction Workers (Regulation of Employment and Condition of Services) (Central) Rules, 1998;
3. Mines Rules, 1955;
4. Mines Rescue Rules, 1985;
5. Mines Vocational Training Rules, 1966;
6. Pithead Bath Rules, 1959;
7. Mines Crèche Rules,1966;
8. Contract Labour (Regulation and Abolition) Central Rules, 1971;
9. Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Central Rules, 1979.
10. Working Journalists (Conditions of Service) and Miscellaneous Provisions Rules, 1957;
11. Cine-Workers and Cinema Theatre Workers (Regulation of Employment) Rules, 1984;
12. Sales Promotion Employees (Conditions of Service) Rules, 1976;
13. Ease of Compliance to Maintain Register under various Labour Laws Rules, 2017 to the extent these rules are made in exercise of the powers conferred by section 62 of the Building and Other Construction Workers' (Regulation of Employment and Conditions of Service) Act, 1996 (27 of 1996); section 35 of the Contract Labour (Regulation and Abolition) Act, 1970 (37 of 1970); section 35 of the Inter-State Migrant Workmen (Regulation of Employment and Conditions of Service) Act, 1979 (30 of 1979); section 58 read with section 59 of the Mines Act, 1952 (35 of 1952); section 12 of the Sales Promotion Employees (Conditions of Service) Act,

1976 (11 of 1976); section 20 of the Working Journalists and Other Newspaper Employees (Conditions of Service) and Miscellaneous Provisions Act, 1955 (45 of 1955) and applicable accordingly;

14. Working Journalist (Fixation of Rates of Wages) Rules, 1958; and

15. Working Journalists and Other Newspaper Employees Tribunal Rules, 1979,

except as respects things done or omitted to be done before such supersession, Central Government hereby makes the following, rules, namely:-

CHAPTER - I
PRELIMINARY

1. Short title and commencement. - (1) These rules may be called the Occupational Safety, Health and Working Conditions (Central) Rules, 2026.

(2) They extend to the whole of India.

(3) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions. - (1) In these rules, unless the context otherwise requires, -

(a) "Code" means the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020);

(b) "FORM" means FORMS annexed in Annexure VII to these rules;

(c) "Officer in charge of canteen" means the person (other than manager) appointed by the employer for securing compliance with the provision in respect of canteen under the code.

(d) "Annexure" means list annexed to these rules;

(2) The words and expressions used in these rules and are not defined therein, but are defined in the Code, shall have meanings respectively assigned to them in the Code.

CHAPTER II
REGISTRATION

3. Application for registration.- (1) An employer seeking registration for an establishment shall apply electronically in **FORM-I** containing the particulars of the establishment, accompanied by documents relating to registration of the establishment, proof of identity and address on the Shram Suvidha Portal or Portal as may be designated by the Central Government by giving details about the establishment.

(2) Where an application under sub-rule (1) is complete in all respects, the certificate of registration shall be issued in **FORM-III** electronically forthwith, but in any case not later than seven days from the date of submission of complete application:

Provided that if the certificate of registration is not issued within the period specified, the establishment shall be deemed to have been registered and the certificate of registration shall be auto-generated in **FORM-III.**

(3) The late fee for registration after expiry of sixty days from the date of notification of these rules, shall be specified through general or special order by the Central Government issued from time to time.

(4) The certificate of registration shall be non-transferable and shall be displayed at conspicuous places within the premises of the establishment.

(5) Where an employer fails to comply with the requirements of sub-rule (1), the Registering Officer under the Code may, by order, direct such employer to comply with such requirements within the time specified in such order.

(6) An employer of an establishment already registered under any other Central labour laws for the time being in force shall within six months from the date on which rules come into force, update the registration particulars in **FORM-I:**

Provided that no such cancellation shall be made unless the establishment has been given an opportunity to show cause, within a period of thirty days, either electronically or by speed post, as to why the certificate of registration should not be cancelled.

(7) The employer shall quote the registration number on all documents prepared or completed by the employer in connection with the rules or the schemes, made thereunder and in all correspondence with the office concerned.

(8) Any change in the particulars furnished in **FORM-I** shall be updated on the portal by the employer within thirty days of such change and where the application for amendment is complete in all respects, the amended certificate of registration shall be issued electronically in **FORM-III** not later than seven days from the date of submission of complete application,

failing which amended certificate of registration shall be auto generated.

(9) The registering officer shall maintain in **FORM-V** showing the particulars of establishment in relation to which certificates of registration have been issued.

(10) The employer shall within thirty days of the closing of the establishment other than mines, intimate to the Registering Officer and also to Inspector-cum-Facilitator having jurisdiction in the area where the establishment is situated intimating the actual date of closing of establishment in **FORM-II** along with certificate of payment of all dues and statutory returns to the workers employed in such establishments and such information shall be auto-shared to Employees' Provident Fund Organisation and Employees' State Insurance Corporation.

(11) On receipt of **FORM-II** complete in all respects, the registering officer shall cancel the certificate of registration and issue cancellation of certificate of registration in **FORM-IV** electronically within sixty days from the receipt of **FORM-II.** If registering officer fails to cancel the registration certificate of the establishment within sixty days then the cancellation of registration certificate shall be auto generated in **FORM-IV**.

4. Notice of commencement and cessation of operation.- (1) The employer of establishment relating to contract labour or building or other construction work shall within thirty days of the commencement or cessation of operation of the establishment, submit a notice in **FORM-VI** to the registering officer and also to the Inspector-cum-Facilitator having jurisdiction in the area where the establishment is situated.

(2) The notice of cessation of operation under sub-rule (1) shall be accompanied by a certificate stating that the payment of all dues to the workers employed in the establishment have been made and the premises are kept free from storage of hazardous chemicals and substances.

Provided that in the case of mines, the employer of every mine shall give not less than thirty days' prior notice of the commencement, reopening, cessation, discontinuation or abandonment of operations or closing of mines in **FORM- VII.**

CHAPTER III

DUTIES OF EMPLOYER AND EMPLOYEE

5. Annual health examination of employees.- (1) Every employer of dock work, building or other construction work shall arrange to conduct free of cost, medical examination for employee, who has completed forty years of age.

(2) The medical examination shall be conducted by a qualified medical practitioner and a certificate shall be provided **FORM-VIII** to both the employer and employee:

Provided that an employer may avail the facility for medical examination of the employees through the Employees' State Insurance Corporation:

Provided further that in case of mines, additional tests and conditions of annual medical examinations of employees shall be governed under Rule 109.

6. Letter of appointment to employee.- No employee shall be employed in any establishment unless an appointment letter has been issued to such employee in the format given below:

Format

(i) Name of employee:
(ii) Date of birth:
(iii) Father's / Mother's name:
(iv) Aadhaar number (after obtaining consent):
(v) Labour Identification Number of the establishment:
(vi) Universal Account Number and / or Insurance Number (if available):
(vii) Designation:
(viii) Type of Employment (Regular/Fixed-term employment/Contractual):
(ix) Category of skill:
(x) Date of joining:
(xi) Wages/Basic/Pay and Dearness Allowance:
(xii) Other allowance including accommodation whichever is/are applicable:
(xiii) Applicability of social security [Employees' Provident Fund Organisation and Employees' State Insurance Corporation] benefits:
(xiv) Broad Nature of duties to be performed:
(xv) Benefits available under Chapter VI (Maternity Benefit) of the Code on Social Security, 2020 (36 of 2020) (in case of women employee):
(xvi) Any other information:

Signature / Digital Signature
of Employer

7. Notice of accidents and dangerous occurrences.- (1) Where at any place in an establishment, an accident occurs resulting to death, the employer of the establishment shall inform to the Inspector-cum-Facilitator forthwith in a notice in **FORM-XI** and inform electronically and by telephone to the Chief Inspector-cum-Facilitator(s), Inspector-cum Facilitator(s), District Magistrate or Sub-divisional Officer and the officer-in-charge of the jurisdictional police station and the family members or kin of the victim.

(2)Where at any place in an establishment, an accident occurs which results in bodily injury by reason of which the person injured is prevented from working for a period of forty eight hours or more immediately following the accident, the employer of the establishment shall inform in

FORM-XI within twelve hours after the completion of forty-eight hours, electronically to the Inspector-cum-Facilitator(s).

(3) Where in any establishment, dangerous occurrence as specified in sub-rule (4), whether causing any bodily injury or disability or not, the employer shall within twelve hours send an intimation to-

(i) the Inspector-cum-Facilitator; and

(ii) the District Magistrate or Sub-divisional Officer:

Provided that if in case of an accident or dangerous occurrence, death occurs to any person injured by such accident or dangerous occurrence after the notices referred to in the foregoing sub-rules have been sent, the employer of the establishment shall forthwith send a notice thereof by telephone and electronically to the authorities and persons mentioned in sub-rules (1) and (2) and also have this information confirmed in writing within twelve hours of the death:

Provided further that, if the period of disability from working for forty-eight hours or more referred to in sub-rule (2) does not occur immediately following the accident, or the dangerous occurrence, but later on occurs in more than one spell, the report there of shall be sent to the Inspector-cum-Facilitator and District Magistrate or Sub-divisional Officer; in the **FORM-XI** within twenty-four hours following the hours when the actual total period of disability from working resulting from the accident or the dangerous occurrence becomes forty-eight hours.

(4) The following classes of dangerous occurrences, whether or not they result in bodily injury or disablement:

(i) bursting, of any plant or pipeline or equipment containing petroleum, steam, compressed air or other substance at a pressure greater than the atmospheric pressure;

(ii) collapse or failure of a crane, derrick, winch, hoist or other appliances used in raising or lowering persons or goods, or any part thereof, or the overturning of a crane;

(iii) explosion, fire, leakage or release of harmful toxic gases, bursting out, leakage or escape of any molten metal or hot liquid or gas causing bodily injury to any person or damage to any room or place in which persons are employed;

(iv) explosion of a receiver or container used for the storage at pressure greater than atmospheric pressure of any gas or gases (including air) or any liquid or solid resulting from the compression of gas;

(v) collapse or failure of lifting appliances or hoists or conveyors or other similar equipment for handling building or construction material or breakage or failure of rope, chain or loose gears; overturning of cranes used in building or other construction work;

(vi) a spontaneous heating or outbreak of fire or appearance of smoke or other indication of heating or outbreak of fire in belowground mines;

(vii) collapse or subsidence of floor, gallery, roof bridge, tunnel, chimney, wall, building or

subsidence of soil or any other structure, platform, staging, scaffolding or any means of access including formwork; contact work, excavation and collapse of transmission;

(viii) spillage or leakage of hazardous substances and damage to their container;

(ix) an eruption or inrush of water or other liquid matter in mines;

(x) collapse, capsizing, toppling or collision of transport equipment within the establishment;

(xi) fall from a height of any excavation, loading or transport machinery, falling of objects from a height;

(xii) an instantaneous failure of a pillar, part of a pillar or several pillars in working below ground;

(xiii) a rock-burst in working below ground; a premature collapse of any part of the working;

(xiv) a breakage, fracture or failure of a part of any machinery or apparatus including any derrick, draw-works, casing line or failure of emergency brake, whereby the safety of persons may be endangered;

(xv) a slide causing injury to any person, damage to any machinery or interruption of normal mining operations;

(xvi) failure of dump or side in opencast working;

(xvii) a failure of any structure or installation whereby the safety of persons may be endangered;

(xviii) an uncontrolled chemical spillage;

(xix) a blowout in case of oil mines;

(xx) spark generated due to electrical flash-over causing burn injury to any person;

(xxi) an explosion or ignition in mines;

(xxii) an influx of inflammable or noxious gases in belowground or oil mines;

(xxiii) any accident due to explosives in mines;

(xxiv) a breakage or fracture of rope, chain, headgear, pulley or axle or bearing thereof or other gear by which persons or materials are lowered or raised in a below ground mine;

(xxv) an overwinding or hard landing of cages or other means of conveyance while persons or materials are being lowered or raised in a below ground mine;

(xxvi) a breakage or fracture of any part of the winding engine, crankshaft, coupling, bearing, gearing, clutch, drum or drum shaft or failure of emergency brake in a below ground mine; or

(xxvii) any other occurrence as specified through general or special order by the Central Government issued from time to time.

8.Notice of disease.- (1) Where in any establishment, a worker contracts any disease specified in the Third Schedule to the Code, the employer of the establishment shall send a notice

forthwith either electronically or by speed post, to the Inspector-cum Facilitator or Chief Inspector-cum-Facilitator in the following format namely:-

NOTICE OF DISEASE

(1) Name and address of the employer:

(2) Name and address of establishment:

(3) Nature of establishment:

(4) In case of mines, the name of the mineral:

(5) Details of Patient:

(a) Name of Patient:

(b) Worker number of Patient:

(c) Address of patient:

(d) Precise occupation of patient:

(6) Nature of disease from which patient is suffering:

(7) Date of detection of disease:

(8) Details of qualified medical practitioner:

(9) Has the case been reported to the Medical Officer:

Date:

Signature of employer

(2) Where qualified medical practitioner attends to a person who is or has been employed in an establishment and who is or is believed by the qualified medical practitioner to be suffering from any disease specified in the Third Schedule to the Code, the medical practitioner shall forthwith send the report in writing to the Chief Inspector-cum-Facilitator stating-

(a) the name and full postal address of the patient;

(b) the disease from which qualified medical practitioner believes the patient to be suffering; and

(c) the name and address of the establishment in which the patient is or was last employed.

9. Duties of employee.- (1) Where any employee becomes aware of an unsafe or unhealthy condition in the establishment, such employee shall as soon as practicable report the matter to the employer or health and safety representative or safety officer or official for their workplace or agent or manager in case of mine.

(2) The representative, safety officer, official, agent or manager, as the case may be, shall thereupon report the matter to the employer immediately.

10. Rights of employee.- On receipt of information from any employee regarding the existence of an imminent danger to safety and health of employees in the establishment, the employer shall take immediate remedial action and whether employee is satisfied with the remedial measures or not, shall send a report of actions taken, to the Inspector-cum-Facilitator electronically or by speed post.

CHAPTER IV

OCCUPATIONAL SAFETY AND HEALTH

11. Provisions relating to National Occupational Safety and Health Advisory Board.-

(1) The Members of the National Board as specified in clauses (g), (j), (k), (l) and (m) of sub-section(2) of section 16 shall be appointed by the Central Government through notification.

(2) The National Board may meet to discharge the functions as under sub-section (1) of section 16 as and when required.

(3) A Member of the National Board, not being an ex officio member, may resign from their office by a letter in writing addressed to the Chairperson of the National Board.

(4) The seat of such a Member shall fall vacant from the date on which their resignation is accepted by the Central Government, or on the expiry of thirty days from the date of receipt of the letter of resignation by the Central Government whichever is earlier.

(5) If any Member of the National Board, not being an ex officio member, fails to attend three consecutive meetings of the National Board, without obtaining the leave sanctioned by the Chairperson of National Board for such absence, they shall cease to be a member of National Board:

Provided that the Central Government may, if it is satisfied that such Member was prevented by sufficient cause from attending three consecutive meetings, direct that such cessation shall not take place and on such direction being made, such Member shall continue to be a Member of National Board.

(6) A person shall be disqualified for being a Member of the National Board-

(a) if person is of unsound mind and stands so declared by a competent authority;

(b) if person is an undischarged insolvent; or

(c) if person has been convicted for an offence, having a penalty of imprisonment of three months or more;

(7) The Central Government may remove any Member of the National Board, if in its opinion such Member has ceased to represent the interest which such member purports to represent on such National Board:

Provided that no such member shall be removed unless a reasonable opportunity is given to such member of making representation against the proposed action under this rule.

(8) The travelling allowance of an official Member of the National Board shall be governed by the rules applicable to such members for journey performed on official duties and shall be paid by the authority paying for the salary of the members.

(9) The non-official Members of the National Board shall be paid travelling allowance for attending the meeting of the National Board at such places in accordance with the instructions issued by the Department of Expenditure, Ministry of Finance, Government of India.

12. Technical Committees or Advisory Committees.-

(1) The Central Government may constitute one or more Technical Committees or Advisory Committees for the purpose of assisting the National Board in discharge of its functions specified in sub section (1) of section 16 of the Code, for such period as in the order constituting Technical Committees or Advisory Committees.

(2) The Technical Committees or Advisory Committees may be multi-members Committee and consist of members from a government, public, autonomous, private institutions or industries, research, academic institutions or occupational health.

(3) The members of the committee shall have Bachelor's degree in engineering with Diploma or post-graduate diploma in industrial safety or Master's Degree in Physics or Chemistry or Bachelor of Medicine and Bachelor of Surgery with Associate Fellow of Industrial Health, with an experience of not less than twenty years in regulatory body or industry or research or academic institutions or occupational health may be nominated to the technical committee or advisory committee.

(4) In case of mines, a member having Bachelor's degree in Mining engineering with First Class Manager's Certificate of Competency to manage a coal or metalliferous mine or Master of Engineering or Master of Technology or Doctor of Philosophy in mining or mechanical or electrical engineering or Bachelor of Medicine and Bachelor of Surgery, with experience of not less than twenty years in regulatory body or industry or research or academic institutions or occupational health may be nominated to the technical committee or advisory committee.

(5) The Chairperson of the Technical Committees or Advisory Committees shall be nominated by the Central Government.

(6) The Technical Committee or Advisory Committees may constitute sub-committees to meet the specific requirements.

(7) The Technical Committee or Advisory Committees shall follow such rules and procedure including its transaction of business as may be specified through general or special order by

the Central Government or National Board, issued from time to time.

(8) Travelling allowance for non-official members of the Technical Committee or Advisory Committees shall be as per the instructions by Department of Expenditure, Ministry of Finance, Government of India, issued from time to time.

(9) A member of the Technical Committees or Advisory Committees, not being an ex officio member, may resign from their office by a letter in writing addressed to the Central Government through the Chairperson of the Technical Committees or Advisory Committees.

(10) A Chairperson of the Technical Committees or Advisory Committees may resign from their office by a letter in writing addressed to the Secretary, Ministry of Labour and Employment, Government of India.

(11) The seat of such a member or Chairperson as the case may be, shall fall vacant from the date on which their resignation is accepted by the Central Government or on the expiry of thirty days from the date of receipt of the letter of resignation by Central Government whichever is earlier.

(12) If any member of the Technical Committees or Advisory Committees, not being an ex officio member, fails to attend two consecutive meetings of such Committee, without obtaining the permission of the Chairperson of such Committee for such absence, such member shall cease to be a member of such Committee:

Provided that the Central Government may, if it is satisfied that such member was prevented by sufficient cause from attending two consecutive meetings, direct that such cessation shall not take place and on such direction being made, such member shall continue to be a member of such Committee.

(13) (i) A person shall be disqualified for being a member of the Technical Committees or Advisory Committees —

(a) if person is of unsound mind and stands so declared by a competent court;

(b) if person is an undischarged insolvent; or

(c) if person has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude.

(ii) Where a question arises as to whether a disqualification has been incurred under clause (i), the Central Government shall decide such question and such decisions should be treated as final.

(14) The Central Government may remove any member or Chairperson of the Technical Committees or Advisory Committees, if in its opinion such member has ceased to represent the interest which such member purports to represent on such Committee:

Provided that no such member shall be removed unless a reasonable opportunity is given to such member of making a representation against the proposed action under this rule.

13. Collection of statistics and portal for inter-State migrant workers.-The employer shall furnish to the Central Government, the detail statistics of inter-State migrant workers and of their occupational safety and health, electronically on web portal designated for the purpose by the Central Government as may be specified through general or special order by the Central Government issued from time to time.

14. Safety Committee.- (1) Every establishment employing five hundred or more workers shall constitute a Safety Committee consisting of representatives of employers and workers. (2) The Central Government may by general or special order specify varying threshold of workers for different classes of establishments issued from time to time.

(3) The tenure of the Safety Committee shall be for three years and it shall meet at least once in every quarter.

Provided that in the case of mines, the Safety Committee shall meet at least once in a month.

(4) The Safety Committee shall be adequately and suitably informed of–

a. potential safety and health hazards to which the workers may be exposed at workplace; and

b. data on accidents as well as data resulting from surveillance of the working environment and of the health of employees of such establishments.

(5) The employer shall, within fifteen days from the date of receipt of the recommendations of the Safety Committee take action to implement such recommendations.

15. Composition of Safety Committee.- (1) The representatives of the management on Safety Committee, except in mine, shall consist of-

(i) a senior official, who by their position in the organisation can contribute effectively to the functioning of the Committee, shall be the Chairman;

(ii) a Safety Officer and qualified medical practitioner wherever available and the Safety Officer shall act as Secretary of the Committee; and

(iii) One representative from the production, maintenance and purchase departments.

(2) The Safety Committee shall consist of an equal number of members representing the employer and the workers, which shall not exceed twenty**;**

(3) the representatives of the employer in the Safety Committee shall be nominated by the employer and shall, as far as possible, be officials directly associated with the working of the establishment, preferably the heads of major departments of the establishment;

(4) the representative of the workers in the Safety Committee shall be chosen in the following manner, namely: -

(a) where there is a sole negotiating union or a negotiating council or negotiating union, shall nominate the worker's representatives on the Safety Committee and in the case of the negotiating council, the nomination shall be in the manner that every registered Trade Union representing in negotiating council shall be represented in the Safety Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Unions;

(b) where there is no sole negotiating union or negotiating union or negotiating council as referred in the clause (a), the workers of the establishment shall choose amongst themselves:

Provided that the employer may, deploy an electronic process for choosing representative of workers:

Provided further that there shall be adequate representation of women and such representation shall not be less than the proportion of women workers to the total number of workers employed:

Provided also that in case there is no recognized both negotiating union or negotiating council and where any dispute arises regarding choosing of the worker's representative to the Safety Committee, the matter may be referred to the concerned Regional Labour Commissioner (Central), who shall after hearing the parties decide the matter and the decision of Regional Labour Commissioner (Central) shall be final.

(c) the tenure of the members of the Safety Committee shall be three years.

(5) The minutes of the meeting of the Safety Committee shall be recorded.

(6) The function and duties of the Safety Committee in an establishment shall include –

(i) assisting and cooperating with the management in achieving the aims and objectives outlined in the 'Safety and Health Policy of the establishment;

(ii) dealing with all matters concerning health, safety and environment and to arrive at practicable solutions to problems encountered;

(iii) creating safety awareness amongst all workers;

(iv) undertaking educational, training and promotional activities;

(v) discussing reports on safety, environmental and occupational health surveys, safety audits, risk assessment, emergency and disaster management plans and implementation of the

recommendations made in the reports;

(vi) looking into the matters likely to cause danger to the safety and health of the workers and suggesting corrective measures; and

(vii) reviewing the implementation of the recommendations made by it.

16. Composition of Safety Committee in mines. – (1) The Safety Committee shall consist of an equal number of members representing the employer and the workers, which shall not exceed twenty.

(2) The representative of the employer on safety committee, in the mine shall be nominated by the employer and shall, as far as possible, be officials in direct touch with or associated with the workings of the mine, preferably the heads of major departments of the mine and will consists of;

(a) the manager referred to in section 67 of the Code shall be the Chairman;

(b) five officials or competent persons of the mine nominated by the Chairman;

(c) the Safety Officer, or where there is no safety officer, the senior most official next to the manager, who shall act as Secretary to the Committee;

(3) The representative of the workers in the Safety Committee shall be chosen in the following manner, namely: -

(a) where there is a sole negotiating union or a negotiating council or negotiating union, shall nominate the worker's representatives on the Safety Committee and in the case of the negotiating council, the nomination shall be in the manner that every registered Trade Union representing in negotiating council shall be represented in the Safety Committee in proportion to the number of workers of the industrial establishment who are members of such Trade Unions.

(b) where there is no sole negotiating union or negotiating union or negotiating council as referred to the clause (a), the workers of the establishment shall choose amongst themselves:

Provided that, the employer may, deploy an electronic process for choosing representative of workers:

Provided further that there shall be adequate representation of women workers on the Safety Committee and such representation shall not be less than the proportion of women workers to the total number of workers employed.

Provided also that in case there is no recognised negotiating union or negotiating council and where any dispute arises regarding the choice of the representative to the Safety Committee, the matter may be referred to the concerned Regional Labour Commissioner (Central), who shall after hearing

the parties decide the matter and the decision of Regional Labour Commissioner (Central) shall be final.

Provided also that the workers representatives at least one each from mining, electrical and mechanical discipline shall be nominated or elected as the case may be:

(c) the tenure of the members of the Safety Committee shall be three years.

17. Functions of Safety Committee in case of Mines.— The functions of the Committee shall be-

(a) to discuss remedial measures against the unsafe conditions and practices in the mine as pointed out in the reports of representative brought to the notice of the Committee and make appropriate recommendations;

(b) to consider, before commencement of operations in any, new area of the mine or installations of oil mine or commissioning of new electrical or mechanical installation or introduction of new mining technique, the proposed safety and health measures;

(c) to discuss the report of inquiry into accident, dangerous occurrences etc., and make appropriate recommendations;

(d) to formulate and implement appropriate Safety Campaigns based on analysis of accidents and dangerous occurrences;

(e) to serve as a forum for communication on Safety and occupational health matters; and

(f) to discuss the standard operating procedures (SOP) prepared for different plant, equipment, installations and methods at the mine and make appropriate recommendations.

(g) to review the Safety Management Plan.

18. Safety officer for Dock Work and Building or Other Construction Work.- (1) In every establishment of dock work wherein five hundred or more workers and building or other construction work wherein two-hundred and fifty or more workers are ordinarily employed, the employer shall employ safety officer as per the scale mentioned below:-

(a) For dock work-

(i) up to 1000 workers - one safety officer;

(ii) up to 2000 workers – two safety officers;

(iii) up to 5000 workers – three safety officers;

(iv) up to 10,000 workers –four safety officers;

(v) for every additional 5000 workers or part thereof- one safety officer.

(b) For building or other construction work-

(i) up to 500 workers- one safety officer;

(ii) up to 1000 workers – two safety officers;

(iii) up to 2000 workers – three safety officers;

(iv) up to 5,000 workers –four safety officers ;

(v) for every additional 2000 workers or part thereof- one safety officer.

(2) A person shall not be eligible for appointment as a safety officer relating to dock work or building or other construction work unless possesses –

(a) a recognised degree in any branch of engineering or technology and has had practical experience of working in a supervisory capacity for a period of not less than two years; or

(b) a recognised degree in physics or chemistry and has had practical experience in a supervisory capacity for a period of not less than five years; or

(c) a recognised diploma in any branch of engineering or technology and has had practical experience in a supervisory capacity for a period of not less than five years;

(d) possesses a degree or diploma in industrial safety recognised by the Central or State Government; or post-graduate diploma in industrial safety from Central Labour Institute or Regional Labour Institutes under Directorate General of Occupational Safety and Health.

(3) Notwithstanding anything contained in sub-rules (1) and (2), any person who –

(a) possesses a recognised degree or diploma in engineering or technology and has had experience of not less than five years in a department of the Central Government or the State Government which deals with the administration of legislations pertaining to the factories or building or other construction works or dock works;

(b) possesses a recognised degree or diploma in engineering or technology and has had experience of not less than five years in training, education, consultancy, or research in the field of accident prevention in industry or in any institution; shall be eligible for appointment as a Safety Officer.

19. Duties of Safety Officers in case of dock work and building or other construction work.-The duties of a Safety Officer shall be to advise and assist in the fulfilment of statutory obligations, concerning prevention of personal injuries and maintenance of a safe working environment and shall include the following, namely:-

(a) advising the concerned departments in planning and organising measures necessary for the effective control of personal injuries;

(b) advising on safety aspects in all job studies and to carry out detailed job safety studies of selected jobs;

(c) to check and evaluate the effectiveness of the action taken or proposed to be taken to prevent personal injuries;

(d) to provide advice on matters related to carrying out safety inspections;

(e) to carry out plant safety inspections observe the physical conditions of work and the work practices and procedures followed by workers and to render advice on measures to be

adopted for removing the unsafe physical conditions and preventing unsafe actions by workers;

(f) to render advice on matters related to reporting and investigation of accidents, dangerous occurrences and diseases;

(g) to investigate selected accidents and dangerous occurrences ;

(h) to investigate the cases of notifiable diseases listed in the Third Schedule to the Code;

(i) to organise in association with the concerned departments, campaigns, competitions, contests and other activities which will develop and maintain the interest of the workers in establishing and maintaining safe conditions of work and procedures;

(j) to design and conduct either independently or in collaboration with the training department, suitable training and educational programme for the prevention of personal injuries; and

(k) the safety officer shall maintain in a bound paged book or in retrievable and non-editable electronic form a detailed record of the work performed by safety officer.

20. Safety officer in case of mines.- (1) At every mine, wherein one hundred or more workers are ordinarily employed, the employer shall appoint safety officer on a scale of one up to five hundred workers and an additional one for every additional five hundred workers or part thereof.

(2) The Safety Officers shall possess the qualifications, namely:-

(a) in case of coal mine-

(i) for belowground mines, person holding First Class Manager's Certificate of Competency (Coal), granted by Directorate General of Mines Safety;

(ii) for opencast mines, person holding First Class Manager's Certificate of Competency (Coal) or First Class Manager's Certificate of Competency (Coal) restricted to mines having opencast workings only, granted by Directorate General of Mines Safety;

(b) in case of metalliferous mines-

(i) for belowground mines, person holding First Class Manager's Certificate of Competency (Metal), granted by Directorate General of Mines Safety;

(ii) for opencast mines, a person holding a Manager's Certificate of Competency (Metal) or a Manager's Certificate of Competency (Metal) restricted to mines having opencast workings only, granted by the Directorate General of Mines Safety;

(c) in coal and metalliferous mines wherein more than one safety officer is appointed under sub-rule (1), a safety officer with degree in mechanical engineering may also be appointed, who shall report to the safety officer from mining engineering.

(d) In case of oil mines, a safety officer shall have a degree in engineering or in industrial safety from an educational institution recognised by the Central or State Government or post-graduate diploma in industrial safety from the Central Labour Institute or the Regional Labour Institutes under Directorate General of Occupational Safety and Health and having experience in the management or supervision of operations in oil mines for a period of not less than five years.

21. Duties of Safety Officer in case of mines.- (1) It shall be the duty of the safety officer in a mine to assist the manager in matter relating to safety in the mine.

(2) The Safety Officer shall ensure that an appropriate emergency plan is in place and the requirements of the same are implemented.

(3) Except in an emergency, no duties other than those specified in sub-rule (1) and sub-rule (5) shall be assigned to the safety officer.

(4) The safety officer shall maintain in a bound paged book or in retrievable and non-editable electronic mode a detailed record of the work performed by safety officer.

(5) The duties of the safety officer shall be-

(a) to visit the surface, aboveground and underground parts of the mine, installations of the oil mine, with a view meeting the employees on the spot, to talk to them on matters of safety and invite suggestions thereon;

(b) to take charge of the newly recruited staff and show them around the mine pointing out the safe and unsafe acts during the course of their work in the mine;

(c) to investigate all types of accidents, dangerous occurrences and incidents in the mine including minor accidents and to analyze the same with a view to pinpointing the nature and common causes of accidents and dangerous occurrences in the mine;

(d) to maintain detailed statistics about mine accidents and to analyse the same with a view to pinpointing the nature and common causes of the accidents in the mine;

(e) to study and apprise the manager referred to in section 67 of the Code, of all possible sources of danger such as inundation, fire, coal dust, blowout in oil mines and others;

(f) to hold safety classes and give safety talks and lectures to the members of the supervisory staff;

(g) to organise safety weeks and other safety education programmes in mines;

(h) to see that all concerned mine employees are fully conversant with various standing orders, code of practice, support plan, and like other matters;

(i) assist in the formulating of programme for training at the mine level, including vocational training, training in gas testing, fire-fighting and first aid, and like other matters;

(j) to report to the manager referred to in section 67 of the Code as a result of visits to the various parts of mine, as to whether the provisions of the Code, and the rules and regulations made thereunder are being complied with in the mine; and

(k) to promote safe practices generally and to lend active support to all measures intended for furthering the cause of safety in the mine and follow up measures for compliance.

CHAPTER V

HEALTH, SAFETY AND WORKING CONDITIONS

A. FACTORIES

22. Cleanliness and hygiene.- Employer of every factory shall ensure that: -

(i) all workplaces, workrooms, passageways, staircases, storerooms and service rooms are kept in sanitary and hygienic condition;

(ii) surfaces of walls and ceilings, including windows and skylights, are always kept clean and maintained in a hygienic condition;

(iii) the floor of every workroom is maintained in a clean and so far as is reasonably practicable, dry and non-slippery condition;

(iv) where wet work processes are carried out—

(a) effective drainage is maintained;

(b) false floors, platforms, mats or other dry standing places are provided; and

(c) anti-skid footwear and other suitable safety and protective gears for use while at work in such place are provided without expense to the employees;

(v) workrooms are cleaned as often as required by the nature of the work carried on;

(vi) as far as practicable, sweeping and cleaning are done—

(a) during intervals between work; and

(b) in such a manner as to prevent the raising of dust;

(vii) where, for technical reasons, cleaning must be carried out during working hours, appropriate means are used and precautions are taken to avoid contamination of the air with dust or other obnoxious substances;

(viii) suitable arrangements for daily collection, storage, disposal or treatment of every type of waste are made under the effective supervision.

23. **Ventilation, temperature and humidity.-** Employer of every factory shall ensure that:-

(i) suitable atmospheric conditions are maintained in workplaces, by natural or artificial means, to avoid insufficient air supply, stagnant or vitiated air, harmful draughts, excessive heat or cold, sudden variations in temperature, and where practicable, having regard to the nature of the processes carried on, to avoid excessive humidity or dryness, and objectionable odours;

(ii) steps are taken as are necessary to provide at all workplaces of the factory, adequate ventilation to clear away smoke and fume, steam and dust, to dilute gases that are inflammable or noxious so as to render them harmless;

(iii) adequate and sufficient measures are taken to protect the employees from exposing to extreme weather conditions by suitably changing the working hours, providing protective clothes or other suitable provisions, as necessary free of charge;

(iv) where an adequate supply of fresh air cannot be obtained by natural ventilation or where it is difficult to get the desired amount of air to the workroom without creating uncomfortable draughts near the inlets, mechanical ventilation is provided;

(v) where local heating apparatus, as may be necessary owing to the nature of work, are installed in workrooms, the layout of the apparatus in the room shall be such that combustion gases are prevented from entering the atmosphere of the room;

(vi) temperature suitable for the type of work performed is maintained in workrooms and the degree of humidity be maintained for comfort of the workers;

(vii) where owing to the nature of work, excessive high temperatures are generated, all employees shall be protected, either by heat insulation of the equipment or by other suitable means, against heat radiation and excessive temperature generated due to steam or hot-water pipes or other hot surfaces.

24. Precaution against dust, noxious gas, fumes and other impurities. - Employer of every factory shall ensure that:-

(i) wherever exhaust systems for removal of flammable fumes, gases, mists, vapors or residues are required to be installed, they are not to be connected to any other ventilating system or discharged into a chimney or flue used for conveying gases of combustion;

(ii) when fumes, gases, mists, vapors, dust and other refuse discharged from exhaust systems is likely to have adverse effect on the health or noxious for the employees or the neighborhood, the exhaustion shall be effected through a system that neutralizes toxic substances, sterilize infectious substances and deodorize fumes, gases, mists or vapors;

(iii) no employee is required or allowed to enter any workplace or confined space until practicable measures have been taken to bring the levels of noxious gas, fume, vapour or dust, which may be present, within the permissible limits.

25. Artificial humidification.— Employer of every factory in which humidity of the air is artificially increased shall ensure that:-

(i) if employees are exposed in all or some of their tasks to extreme heat and high humidity, and the hazard cannot be eliminated, then the risks to safety and health shall be assessed and the controls necessary to reduce the hazard or risks shall be effected;

(ii) the above risk assessment takes into account including the use of appropriate protective clothing against hazardous substances that can increase the risk of heat stress and also that respiratory protectors are uncomfortable and less likely to be used in extremely hot working environments;

(iii) where part of the risk arises from the metabolic heat produced during work or from direct exposure to sunlight and high outdoor air temperatures and when other methods of eliminating the risk are impracticable, a work-rest cycle for exposed employees, preferably in a shaded, air-conditioned or cooler resting space shall be provided to allow the employee to recover;

(iv) to maintain hydration, sufficient quantities of drinking water, with the proper electrolytes, where appropriate, are provided at easily accessible places;

(v) where a residual risk of heat stress remains even after all the practical control measures have been taken, employees are to be adequately supervised so that they can be withdrawn from the hot and humid conditions if symptoms occur. Also, that first-aid facilities, and staff is trained in the use of such facilities, are available;

(vi) employees exposed to extreme hot and humid conditions are instructed and trained:

(a) to recognise symptoms which may lead to heat stress, in themselves or others, and the steps to be taken to prevent onset and or emergencies; and

(b) in the action to be taken in the event of the increased risk of accidents because of high temperatures or humidity;

(vii) tests for determining the relative humidity of the air are carried out and recorded and if humidity level of the air is found to be harmful to the health of employees, it is artificially regulated in such a manner that humidification and temperature do not cause discomfort to employees and the water used for the purpose is taken from public supply or other source of drinking water or is purified before it is so used;

(viii) Instruments for measurement and recording of humidity and temperature at appropriate location are provided and maintained.

B. MINES

26. Cleanliness and hygiene.- The employer of every mine shall ensure that: -

(i) all workplaces, workrooms, passageways, staircases, storerooms and service rooms are kept in sanitary and hygienic condition;

(ii) surfaces of walls and ceilings, including windows and skylights, are always kept clean and

maintained in a hygienic condition;

(iii) the floor of every workroom is maintained in a clean and so far as possible, dry and non-slippery condition;

(iv) where wet work processes are carried out—

(a) effective drainage is maintained;

(b) false floors, platforms, mats or other dry standing places are provided; and

(c) anti-skid footwear and other suitable safety and protective gears for use while at work in such place are provided without expense to the employees;

(v) workplaces are cleaned as often as required by the nature of the work carried on;

(vi) as far as practicable, sweeping and cleaning are done—

(a) during intervals between work; and

(b) in such a manner as to prevent the raising of dust;

(vii) where, for technical reasons, cleaning must be carried out during working hours, appropriate means are used and precautions are taken to avoid contamination of the air with dust or other obnoxious substances;

(viii) suitable arrangements for daily collection, storage, disposal or treatment of every type of waste are made under the effective supervision.

27. Ventilation, temperature and humidity.- The employer of every belowground mine shall ensure that: -

(i) suitable atmospheric conditions are maintained in workplaces, by natural or artificial means, to avoid insufficient air supply, stagnant or vitiated air, harmful draughts, excessive heat or cold, sudden variations in temperature and where practicable, having regard to the nature of the processes carried on, to avoid excessive humidity or dryness, and objectionable odours;

(ii) steps are taken as are necessary to provide at all workplaces of the belowground mine, adequate ventilation to clear away smoke, fume, steam and dust, to dilute gases that are inflammable or noxious so as to render them harmless;

(iii) adequate and sufficient measures are taken to protect the employees from exposing to extreme weather conditions by suitably changing the working hours, providing protective clothes or other suitable provisions, as necessary;

(iv) where an adequate supply of fresh air cannot be obtained by natural ventilation or where it is difficult to get the desired amount of air to the workrooms without creating uncomfortable draughts near the inlets, mechanical ventilation is provided;

(v) at every workplace at the surface of the mines, the temperature suitable for the type of work performed is maintained in workplaces and the degree of humidity varied in accordance with the kind of work and the outside temperature and humidity;

(vi) measurements of air quantity, temperature and humidity are regularly taken and brought up- to-date the entries at each air measurement station.

28. Precaution against dust, noxious gas, fumes and other impurities.- The employer of every belowground mine shall ensure that:-

(i) such steps as may be necessary are taken for minimising emissions of any gas, fume, vapor or dust which may enter the air at any workplace and for ensuring that the exposure of employees to respirable dust, gas, fume or vapor is limited to an extent that is reasonably practicable but, in any case, not exceeding the limits that are harmful to the health of employees.

(ii) no employee is required or allowed to enter any workplace or confined space until all practicable measures have been taken to remove any noxious gas, fume, vapors or dust, which may be present so as to bring their levels within the permissible limits.

29. Artificial Humidification.- The employer of every belowground mine shall ensure that:-

(i) in respect of any belowground mine or part thereof, tests for determining the relative humidity of the air is carried out and recorded and if humidity level of the air is found to be harmful to the health of employees, is artificially regulated in such a manner that humidification and temperature do not cause any discomfort to employees;

(ii) the water used for the purpose is taken from public supply or other source of drinking water or is purified before it is so used;

(iii) instruments for measurement and recording of humidity and temperature at appropriate locations are provided and maintained by the employer;

(iv) employees are trained to recognize symptoms which may lead to heat stress.

C. BUILDING OR OTHER CONSTRUCTION WORK

30. Cleanliness and hygiene.- Every employer of a building or other construction work shall ensure that:-

(i) every building or other construction work site including its premises and surroundings are kept clean and maintained in hygienic and sanitary condition;

(ii) place is provided for proper storage of materials and equipment;

(iii) scrap, waste and debris are removed at appropriate intervals;

(iv) loose materials which are not required for use is not placed or allowed to accumulate on the site

so as to obstruct means of access to and egress from workplaces and passageways;

(v) workplaces and passageways that are slippery are cleaned up or strewn with sand, sawdust, ash or the like;

(vi) where a floor is liable to become wet in the course of building or other construction works, effective drainage is maintained, kept in dry and non-slippery state and suitable safety and protective gear free of charge be provided to employees;

(vii) suitable arrangements for daily collection, storage, disposal or treatment of every type of waste are made under the effective supervision.

31. Ventilation, temperature and humidity.–Every employer of a building or other construction work shall ensure that:-

(i) where an employee is likely to be exposed to any chemical, physical or biological hazard to such an extent as is liable to be dangerous to health, appropriate preventive measures are taken against such exposure;

(ii) the preventive measures referred under sub-rule (i) above shall comprise of-

(a) the replacement of hazardous substances by harmless or less hazardous substances wherever possible; or

(b) technical measures applied to the plant, machinery, equipment or process:

Provide that where it is not possible to comply with sub-rule (ii), other effective measures, including the use of appropriate personal protective equipment and protective clothing are provided free of charge.

(iii) where employees are required to enter any area in which a toxic or harmful substance may be present or in which there may be an oxygen deficiency or a flammable atmosphere, adequate measures are taken to guard against danger;

(iv) whenever heat stress, cold or wet conditions are such that they can lead to impairment of health or extreme discomfort, preventive measures are taken, such as-

(a) proper design of the workload and workstation, with special regard to employees in cabins, and command or driving operations;

(b) training, to enable detection of early signs of disorders;

(c) supply of appropriate protective equipment and clothing;

(d) routine medical surveillance;

(e) drinking water and electrolyte.

(v) necessary steps are taken to constantly provide at all work places of the building or other construction work site, adequate ventilation to clear away smoke and fume, steam and dust, to dilute gases that are inflammable or noxious so as to render them harmless, to provide air containing sufficient oxygen and to prevent such excessive rise of temperature or humidity which may be harmful to the health of the persons employed therein;

(vi) where the nature of the work carried out in the building or other construction work site involves or is likely to involve production of excessively high temperatures, adequate measures as are practicable are taken to protect the employees therefrom, by separating the process which produces such temperatures from the workplace, by insulating the hot parts or by other effective means;

(vii) where part of the risk arises from the metabolic heat produced during work or from direct exposure to sunlight and high outdoor air temperatures, and when other methods of eliminating the risk are impracticable, a work-rest cycle for exposed employees, preferably in a shaded, cooler resting space shall be provided to allow the employee to recover;

(viii) measurement of air quantity, temperature and humidity are regularly taken and brought up to date the entries at each air measurement station;

(ix) ventilation in tunneling shall provide for -

(a) removal of the pollutants (exhaust gases of the vehicles, blasting fume, dust) and establishment and maintenance of a climatic state (temperature, humidity) in accordance with the required physical activities of the work force in the underground building or other construction work sites;

(b) choice of the ventilation system for a specific site depending on the complexity of the project (tunnel length and diameter, single or double bore, cooling requirements, intermediate multifunction stations, etc.);

(c) natural or artificial ventilation be so designed as to introduce a sufficient quantity of fresh or purified air per person and per hour into an area, considering the nature and conditions of the work;

(d) appropriate measures are taken to ensure that in enclosed premises a suitable hygrometric level in the air is maintained;

(e) the following instruments on the tunneling site-

(i) Oxygen level measuring instrument;

(ii) presence of flammable gases measuring instrument;

(iii) temperature measuring instrument;

(iv) dust concentration measuring instruments; and

(v) toxic gas measuring instrument.

(f) the air supply intake points for all air compressors located at places where such intake air does

not get contaminated with dust, fumes, vapor and exhaust gases or other contaminants.

32. Precaution against dust, noxious gas, fumes and other impurities.– Every employer of a building or other construction work shall ensure that:-

(i) such steps as may be necessary for minimizing of emissions of any gas, fume, vapor or dust which may enter the air at any workplace and for ensuring that the exposure of employees to respirable dust, gas, fume or vapor is limited to an extent that is reasonably practicable but in any case, not exceeding the limits that are harmful to the health of employees;

(ii) no employee is required or allowed to enter any workplace or confined space until all practicable measures have been taken to bring the levels of noxious gas, fume, vapour or dust, which may be present, within the permissible limits.

D. BEEDI AND CIGAR WORK

33. Cleanliness and hygiene.- The employer of every industrial premise for manufacture of beedi and cigar shall ensure that:-

(i) every industry including its premises and surroundings are kept in sanitary and hygienic condition;

(ii) surfaces of walls and ceilings, including windows and skylights, are always kept clean and maintained in a hygienic condition;

(iii) the floor of every workroom is maintained in a clean and, so far as possible, dry and non-slippery condition;

(iv) where wet work processes are carried out —

a. effective drainage is maintained;
b. false floors, platforms, mats or other dry standing places are provided; and
c. anti-skid footwear and other suitable safety and protective gears for use while at work in such place are provided without expense to the employees;

(v) workrooms are cleaned as often as required by the nature of the work carried on;

(vi) as far as practicable, sweeping and cleaning are done—

a. during intervals between work; and
b. in such a manner as to prevent the raising of dust;

(vii) suitable arrangements for daily collection, storage, disposal or treatment of waste are made under the effective supervision.

34. Ventilation, temperature and humidity.- The employer of every industrial premise shall ensure that: -

(i) suitable atmospheric conditions are maintained in workplaces, by natural or artificial means, to avoid insufficient air supply, stagnant or vitiated air, harmful draughts, excessive heat or cold, sudden variations in temperature and where practicable, having regard to the nature of the processes carried on, to avoid excessive humidity or dryness, and objectionable odours;

(ii) adequate and sufficient measures are taken to protect the employees from exposing to extreme weather conditions by suitably changing the working hours, providing protective clothes or other suitable provisions, as necessary, free of charge;

(iii) where an adequate supply of fresh air cannot be obtained by natural ventilation, or where it is difficult to get the desired amount of air to the workroom without creating uncomfortable draughts near the inlets, mechanical ventilation is provided.

35. Precaution against dust.– The employer of every industrial premise shall ensure that no employee is required or allowed to enter any workplace or confined space until practicable measures have been taken to bring the levels of dust particles, which may be present, within the permissible limits.

E. MOTOR TRANSPORT WORK

36. Cleanliness and hygiene.- The employer of every motor transport undertaking shall ensure that: -

(i) all workplaces, workrooms, passageways, staircases, storerooms and service rooms are kept in sanitary and hygienic condition;

(ii) surfaces of walls and ceilings, including windows and skylights, are always kept clean and maintained in a hygienic condition;

(iii) the floor of every workroom is maintained in a clean and, so far as possible, dry and non-slippery condition;

(iv) where wet work processes are carried out—

(a) effective drainage is maintained;

(b) false floors, platforms, mats or other dry standing places are provided; and

(c) anti-skid footwear and other suitable safety and protective gear for use while at work where ever required in such places without expense to employees;

(v) workrooms are cleaned as often as required by the nature of the work carried on;

(vi) as far as practicable, sweeping and cleaning are done—

(a) during intervals between work; and

(b) in such a manner as to prevent the raising of dust;

(vii) where, for technical reasons, cleaning must be carried out during working hours, appropriate means are used and precautions are taken to avoid contamination of the air with dust or other obnoxious substances;

(viii) suitable arrangements for daily collection, storage, disposal or treatment of waste are made under the effective supervision.

37. Ventilation, temperature and humidity.- The employer of every motor transport undertaking shall ensure that: -

(i) suitable atmospheric conditions are maintained in workplaces, by natural or artificial means, to avoid insufficient air supply, stagnant or vitiated air, harmful draughts, excessive heat or cold, sudden variations in temperature and where practicable, having regard to the nature of the processes carried on, to avoid excessive humidity or dryness, and objectionable odours;

(ii) steps are taken as are necessary to provide at all workplaces of the motor transport undertaking, adequate ventilation to clear away smoke and fume, steam and dust, to dilute gases that are inflammable or noxious so as to render them harmless;

(iii) adequate and sufficient measures are taken to protect the employees from exposing to extreme weather conditions by suitably changing the working hours, providing appropriate protective clothes or other suitable provisions, as necessary free of charge;

(iv) where an adequate supply of fresh air cannot be obtained by natural ventilation, or where it is difficult to get the desired amount of air to the workroom without creating uncomfortable draughts near the inlets, mechanical ventilation is provided.

38. Precaution against dust, noxious gas, fumes and other impurities.– The employer of every motor transport undertaking shall ensure that: -

(i) where exhaust systems for removal of flammable fumes, gases, mists, vapors or residues are not to be connected to any other ventilating system or discharged into a chimney or flue used for conveying gases of combustion;

(ii) when fumes, gases, mists, vapours, dust and other refuse discharged from exhaust systems is likely to have adverse effect on the health or noxious for the employees or the neighborhood, the exhaustion shall be effected through a system that neutralizes toxic substances, sterilize infectious substances and deodorize fumes, gases, mists or vapours;

(iii) no employee is required or allowed to enter any workplace or confined space until practicable measures have been taken to bring the levels of noxious gas, fume, vapour or dust, which may be present, within the permissible limits.

F. DOCK WORK

39. Cleanliness and hygiene. - The employer of every dock work shall ensure that: -

(i) all locations in the ship or dock where dock works are carried and where dock workers are employed are kept clean and maintained in a hygienic condition;

(ii) all access routes and working areas are kept free from objects and materials that are liable to cause a person to trip or slip;

(iii) loose gear, tools and similar equipment are kept safely or removed from working areas when not in use;

(iv) spillages of oil or other materials likely to be a hazard are cleaned up by trained personnel as soon as possible under the effective supervision;

(v) suitable safety and protective gears for use while at work wherever required are provided without expense to employees;

(vi) where a floor is liable to become wet, effective drainage be maintained, kept in dry and non-slippery state and suitable anti-skid footwear, free of charge, be provided to employees;

(vii) all plant and equipment are parked in appropriate designated areas when not in use;

(viii) for technical reasons, cleaning must be carried out during working hours, appropriate means are used and precautions are taken to avoid contamination of the air with dust or other obnoxious substances;

(ix) suitable arrangements for daily collection, storage, disposal or treatment of waste are made under the effective supervision.

40. Ventilation, temperature and humidity.- The employer of every dock work shall ensure that effective and suitable provisions are made in every dock for securing and maintaining in every building or an enclosure or a reefer hold or chamber or reefer container where dock workers are employed with adequate ventilation maintain such temperature and air movement so as to provide reasonable condition of comfort and to prevent any harm to the health of employees.

41. Precaution against dust, noxious gas, fumes and other impurities.- The employer of every dock work shall ensure that: -

(i) whenever a dock worker is required to enter into a hold or intermediate deck or other confined space or any other working place where neither natural ventilation nor mechanical ventilation

system is adequate to keep the content of any gas, fume vapour or dust below the permissible limits, appropriate manhole of adequate size or other effective means of egress shall be provided to avoid exposure of docks workers to health hazards;

(ii) no dock worker is allowed to enter any hold or tank of a vessel wherein there is given off any dust, fumes or other impurities of such a nature and to such an extent as is likely to be injurious or offensive to the dock workers or in which explosives, poisonous, noxious or gaseous cargoes have been carried or stored or in which dry ice has been used as a refrigerant or which has been fumigated, or in which there is possibility of oxygen deficiency, unless all practical steps have been taken to remove the dust, fumes or other impurities and dangers which may be present and to prevent any further ingress thereof and such holds or tanks are certified to be safe and fit for dock workers to enter the same by the competent person;

(iii) when dock workers are exposed to any dust in substantial quantities as in handling bulk cargos such as grains, fertilizers, cements and other similar cargoes, they are protected by appropriate Personal Protective Equipment, provided free of charge.

G. PLANTATION

42. Cleanliness and hygiene.- The employer of every plantation shall ensure that:-

(i) all workplaces, passageways, storerooms and service rooms are kept in a hygienic condition;

(ii) the floor and walls of every service room is maintained in a clean and, so far as possible, dry and non-slippery condition;

(iii) service rooms are cleaned as often as required by the nature of the work carried on;

(iv) as far as practicable, sweeping and cleaning are done—

(a) during intervals between work; and

(b) in such a manner as to prevent the raising of dust;

(v) where, for technical reasons, cleaning must be carried out during working hours, appropriate means are used and precautions are taken to avoid contamination in air with pesticides, insecticides, chemicals and toxic substances;

(vi) suitable arrangements for daily collection, storage, disposal or treatment of waste are made under the effective supervision.

43. Precaution against dust, noxious gas, fumes and other impurities.- The employer of every plantation shall ensure that:-

(i) such steps are taken as may be necessary for minimizing the dust which may exist at plantation that are harmful to the employees;

(ii) every employee who is engaged in handling, mixing, blending, spraying or applying pesticides, insecticides, chemicals and toxic substances is provided with appropriate protective clothing and Personal Protective Equipment free of charge;

(iii) the appropriate protective clothing is made of materials which prevent or resist the penetration of any form of pesticides, insecticides, chemicals and toxic formulation. The materials are washable so that the harmful elements are removed after each use. Appropriate Protective clothing consists of the following namely: —

(a) protective outer garment with hat;

(b) rubber gloves or such other protective gloves extending up to the forearm, made of materials impenetrable to liquids;

(c) dust proof goggles;

(d) rubber boots;

(e) reusable cloth masks;

(iv) no employee is required or allowed to enter any workplace or confined space until all practicable measures have been taken to remove noxious smell from pesticides, insecticides, chemicals and toxic substances, which may be present so as to bring their levels within the permissible limits.

H. COMMON RULES FOR HEALTH, SAFETY AND WORKING CONDITIONS

44. Potable water.- Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, motor transport undertaking, dock work and plantation shall ensure that:-

(i) adequate supply of clean, wholesome and safe drinking water is provided for and be readily accessible to, all employees in all workplaces;

(ii) any supply of drinking water other than the piped supply is contained in suitable vessels clearly marked or displayed in Hindi or English and in local language, to indicate that the water is safe for drinking and such supply is replenished daily and all necessary precautions are taken to preserve the water and vessels from contamination;

(iii) except where the water is delivered by a rising jet, the use of common drinking tumblers or cups

is prohibited.

(iv) where water is unsafe for drinking purposes or is provided for use in other purposes, it is to be so indicated in Hindi or English and in local language:

Provided in case of building or other construction work every employer shall ensure that-

(a) drinking water for common use is stored only in closed containers from which the water is dispensed through taps;

(b) if drinking water has to be transported to the worksite, the transport tanks, storage tanks and dispensing container are cleaned and disinfected at regular intervals;

(c) a supply of drinking water is never connected to a supply of water that is unfit to drink.

45. Overcrowding.- Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, motor transport undertaking and dock work shall ensure that:-

(i) the floor space in any building or any dock area, wharf, jetty in case of dock work is not crowded with machinery in a manner dangerous to employees or be overcrowded with materials or products so as to constitute a menace to them;

(ii) sufficient space is provided around the individual machines or process units to allow for normal operation, adjustments, ordinary repairs, for materials supplied, in process, or completed;

(iii) adequate provisions are made to prevent overcrowding at any place where employees are required to work or assemble for any reason in the premises, including:-

(a) design and use of signs or symbols (in English or Hindi and in local language) that indicate and illustrate overcrowding related hazards in all working areas specifying the number of employees allowed to work at such places at any one time;

(b) vehicle and pedestrian pathways are kept separated using barriers indicated by distinctive colours; and

(c) deployment of vehicles are managed effectively and overcrowding is avoided:

Provided that the sub-rule (i) and (ii) shall not be applicable in case of building or other construction work, beedi and cigar work and sub-rule (ii) shall not be applicable to motor transport undertaking.

46. Lighting (Illumination).- Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, motor transport undertaking, dock work and plantation shall ensure that:-

(i) all places in the establishment including all amenities for utility services where employees work

or pass, or may have to work or pass in emergencies, are provided during time of use with adequate natural or artificial lighting or both, suitable for the operations and the special type of work performed. Natural lighting is arranged wherever possible;

(ii) artificial lighting is provided or arranged when daylight fails or for areas where the daylight illumination is insufficient wherever possible;

(iii) at every work place where employees are exposed to risks in the event of failure of artificial lighting, are provided with automatic emergency lighting of sufficient intensity that has energy sources independent of the installations for the general lighting systems are in working condition:

Provided that in case of plantation workers, sub-rule (i) shall not be applicable:

Provided further that in case of Building or other construction work, sub-rule (iii) and the following rules shall apply:-

(a) close to every workplace of building or other construction work site including all amenities for utility services, adequate and suitable lighting, including portable lighting where appropriate, is provided at every workplace and any other place on the construction site where an employee may have to pass.

(b) where natural lighting is not adequate to ensure safe working conditions, adequate and suitable lighting, including portable lighting where appropriate, is provided at every workplace and any other place on the construction site where an employee may have to pass.

(c) artificial lighting, as far as practicable does not produce glare or disturbing shadows.

(d) where necessary to prevent danger, lamps are protected by suitable guards against accidental breakage.

(e) the cables of portable electrical lighting equipment are of adequate size and characteristics for the power requirements and of adequate mechanical strength to withstand severe conditions in construction operations.

47. Latrine and urinal accommodation.- Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, motor transport undertaking, dock work and plantation shall ensure that:-

(1) (i) in every work place, sufficient latrine and urinal accommodation are provided at conveniently accessible places separately for the use of male, female, transgender and person with disabilities employees;

(ii) such accommodation is sufficiently lighted and ventilated and maintained in a clean and sanitary condition at all times;

(2) (i) floor of the latrine, urinal and the sanitary blocks are maintained in non-slippery condition;

(ii) the internal walls of the latrines, urinals and the sanitary blocks are laid in glazed tiles. Alternatively, internal walls of the latrines and urinals are finished in such a manner to provide a smooth, polished and impervious surface to facilitate cleanliness and hygiene;

(iii) sanitary pans of latrines and urinals are kept washed and cleaned at all times;

(3) at least one separate latrine accommodation, for every 25 male and 15 female employees, and at least one separate latrine accommodation each for person with disabilities employees and for transgender employees is provided and at least one urinal for every 15 males employed at the same time. Sufficient water supply is provided in every latrine and urinal accommodation;

(4) while cleaning of latrine and urinal accommodation, adequate signage of cleaning in progress, in English or Hindi and in local language are kept outside such accommodation;

(5) washbasin facility with tap water is made available;

(6) sanitary napkins in sufficient quantity are provided free of charge and maintained in the women's toilets for their use and the same are to be replenished on a daily basis;

(7) disposable bins with lids are provided within the women's toilets for the collection of the used sanitary napkins. The used napkins are safely disposed of. Disposable bins with lids shall also be provided within the toilets for men, transgender and person with disabilities;

(8) every latrine is kept under cover and so partitioned off as to secure privacy, and to have a proper door, fastenings and exhaust;

(9) where male, female, transgender and person with disabilities are employed, outside each latrine block a notice "For men only" or "For women only" or "For transgender persons only" or "For persons with disabilities only", as the case may be, in Hindi or English and in local language, are displayed;

(10) waste or sullage water from latrines and urinals is treated and safely disposed of;

(11) water taps in latrines-

(i) where piped water supply is available, water taps are to be provided in or near such latrine accommodation; and

(ii) if piped water supply is not available, water is provided by the means of tap or otherwise so as to be conveniently accessible in or near the latrine and urinals:

Provided in case of building or other construction work, plantation and dock works facilities of mobile toilets are provided wherever required.

48. Treatment of waste and effluents. -Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, motor transport undertaking, dock work and plantation shall ensure that:-

(i) proper arrangements for discharging liquid effluents and gaseous emission and disposal of solid waste generated in the factory are made;
(ii) effective arrangements are made for the treatment of wastes and effluents by ensuring compliance with the safety and health requirements;
(iii) hazards and risks with the handling, storage and processing of wastes and effluents are identified and appropriate preventive and control measures are implemented;
(iv) appropriate personal protective equipment based on risk assessment of handling the waste and effluents are provided, free of charge; and
(v) employees handling the wastes and effluents are trained on the identified hazards and risks:

Provided that sub-rule (i) and (ii) shall not apply to beedi and cigar work:

Provided further that in case of plantations, sub-rules (i) and (ii) shall not apply, subject to the condition that—effective arrangements are made for disposal of used packages of pesticides, insecticides, chemicals and toxic substances to prevent their re-use and to prevent environmental, water or air pollution.

CHAPTER VI

WELFARE PROVISIONS

A. COMMON RULES

49. Washing facility.- Employer of every factory, mine, building or other construction work, motor transport undertaking, dock work and plantation shall ensure that:-

(i) suitable and sufficient washing facilities at easily accessible places are provided with regular and adequate supply of water including soap, towels separately for male, female, transgender and person with disabilities employees, which are-

(a) separated from the workplaces (and within plantation premises in case of plantation workers);
(b) well ventilated;
(c) with proper drainage system;
(d) maintained in a sanitary and hygienic condition;

(e) capable of being secured from inside to secure privacy and have a proper door, fastenings;

(f) appropriately demarcated with "For men only" or "For women only" or "for transgender persons only" or "For persons with disabilities only", as the case may be, in Hindi or English and in local language, are displayed outside;

(ii) The use of common towels is prohibited:

Provided in case of building or other construction work additional provisions as follows:-

(a) where employees are exposed to skin contamination by poisonous, infectious, or irritating substances or oil, grease or dust, sufficient number of appropriate washing facilities or shower-baths supplied with hot and cold water;

(b) washing facilities are not used for any other purpose.

50. Provisions of bathing places and locker rooms.- Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, motor transport undertaking, dock work and plantation shall ensure that:-

(i) suitable, separate and sufficient bathing places and locker facility, as may be necessary owing to the nature of work, at easily accessible places with regular and adequate supply of water including soap and towels for male, female, transgender and persons with disabilities separately, are provided which are -

(a) separated from the workplaces (and within plantation premises in case of plantation workers);

(b) well ventilated;

(c) with proper drainage system;

(d) maintained in a sanitary and hygienic condition;

(e) capable of being secured from inside to secure privacy and have a proper door, fastenings;

(f) properly demarcated with "For men only" or "For women only" or "For transgender persons only" or "For person with disabilities only", as the case may be, in Hindi or English and in local language, are displayed outside;

(ii) suitable, separate locker facilities, as may be necessary owing to the nature of work, at easily accessible places for storing clothing that are worn during working hours and for special clothing which is worn by any employee at work but is not taken home, for male, female, transgender and persons with disabilities.

51. Keeping of cloth not worn during working hour.- Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, dock work and plantation shall ensure that:-

(i) suitable, separate and sufficient installations, as may be necessary owing to the nature of work, for male female, transgender and person with disabilities employees for keeping clothes not worn during working hours and drying them are available;

(ii) these installations are placed in rooms separate from the workrooms;

(iii) a separate changing room is provided with suitable facilities for all male female, transgender and person with disabilities employees, as may be necessary owing to the nature of work, for drying wet clothes and for hanging clothing including, where necessary to avoid contamination with poisonous, infectious, irritating or radioactive substances and are also provided suitable lockers for separating working clothes from street clothes;

(iv) when employees are engaged in processes of such a nature that their working clothes are liable to become wet or have to be washed between shifts, suitable arrangements are made to ensure that dry clothes are always available to each employee on their return to work;

(v) these facilities are to be provided with—

(a)individual lockers of adequate size and with adequate ventilation;

(b) benches or other suitable seating arrangements.

52. Sitting arrangement.- Employer of every factory, mine and dock work shall ensure that reasonable arrangements for sitting without detriment to their work are provided to employees obliged to work in standing position. Adequate and comfortable seating facilities are provided for this purpose.

53. Provision of Canteen.- Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, motor transport undertaking, dock work and plantation shall ensure that:-

(i) at every establishment mentioned above where in One-hundred or more workers including contract labourers are ordinarily employed, a canteen in or adjacent to the precincts of the above establishments, is provided and maintained to provide nutritious, wholesome and healthy food for the employees;

(ii) the employer of every establishment mentioned above can also provide facility of canteen through common canteen in or adjacent to the above establishment's premises;

(iii) the canteen is situated at appropriate distance from any latrine, urinal and process area to avoid dust, smoke or obnoxious fumes;

(iv) the canteen is constructed to accommodate at least a dining hall, kitchen, store room, pantry and washing places separately for employees and for utensils;

(v) canteen has separate doors for entry and exit;

(vi) the dining hall is separated from any place where a hazardous substance may contaminate food, dishes or utensils;

(vii) the dining hall is furnished with a sitting arrangement to accommodate sufficient number of employees normally using at any one time;

(viii) a portion of the dining hall and service counter is reserved for women employees and person with disabilities employees; and

(ix) washing places for male, female, transgender and person with disabilities employees are separate and screened to secure privacy;

(x) Equipment-

(a) All equipment and utensils that come into contact with food are cleaned and maintained in hygienic condition;

(b) Furniture and other equipment are maintained in a clean and hygienic condition;

(xi) Storage, Preparation and Handling of food-

(a) Each food handler is trained and instructed in food handling practices that prevent the contamination of food; and

(b) No person who is suffering from a communicable disease is allowed to work as a food handler;

(xii) food waste and garbage are removed from the food preparation area or dining hall, stored in covered containers and disposed of periodically;

(xiii) food, drink and other items are sold on a no profit no loss basis wherein the rates are fixed by canteen management committee; and

(xiv) the charges per portion of food items, beverages and any other items served in the canteen are displayed in the canteen;

(xv) Canteen Management Committee-

(a) a Canteen Managing Committee is constituted to carry out the following functions namely

(i) the quality and the quantity of food stuffs to be served in the canteen;

(ii) the arrangements of the menu;

(iii) the timings of meals in the canteen; and

(iv) any other relevant matter:

Provided that where the canteen is managed by a co-operative society registered under the Multi State Co-operative Societies Act, 2002 it shall not be necessary to appoint a Canteen Managing Committee:

(b) the Canteen Managing Committee shall consist of an equal number of representatives of worker and employer;

(c) the representatives of employer are nominated by the employer;

(d) the representatives of worker are nominated by negotiating union or negotiating council as the case may be and where there is no negotiating union or negotiating council the worker will choose amongst themselves the worker representatives of the canteen committee;

(e) the tenure of the committee shall be determined mutually. One-third of the committee members of worker and employer shall be rotated every two years;

(f) the canteen managing committee decides on the running of the canteen in consultation with the canteen manager.

54. First Aid and Medical Appliances. - Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, motor transport undertaking, dock work and plantation shall ensure that:-

(i) in every establishment mentioned above or part thereof where employees are at work, first aid boxes or cup-boards in adequate numbers with necessary items are provided and maintained so as to be readily accessible during working hours. A Notice containing details of first-aid facilities, along with the name, contact detail of the person in-charge and the nearest hospitals, shall be displayed at a conspicuous place in English or Hindi and in local language;

(ii) in each shift, every first-aid box or cupboard is kept in the charge of a worker or supervisor who holds a certificate in first-aid treatment and who is always be readily available during the working hours of the above establishments or part thereof. At least one fully equipped first-aid box or cupboard in every department or section is available and maintained properly all the time during working hours. The number of first aid boxes has to increase if the number of employees is more than 200 employees in department or section. The illustrative list of contents of every first-aid box or cupboard is at **Annexure- I** and employer may add more items as per requirement;

(iii) in case of mines, the illustrative list of contents of every first-aid box or cupboard is at **Annexure- III** and employer may add more items as per requirement.

(iv) at least thirty-three percent of the workers in every establishment mentioned above are trained in first-aid procedures and refreshers training to be imparted in every three years and wherever woman workers are employed, at least one-woman worker is trained**.** First Aid training is conducted by the trainer having medical qualification included in the Schedule- I or Schedule- II or Part- II of the Schedule- III of the Indian Medical Council Act, 1956 (102 of 1956). The person possessing qualifications included in Part II of Schedule- III of the Indian Medical Council Act,

1956 (102 of 1956), should also fulfil the condition specified in sub-section (3) of section 13 of the Indian Medical Council Act, 1956 or as per the Chapter- VI of National Medical Commission Act 2019 or diploma or degree in Industrial Health or Public Health or Emergency Medicine, or Associate Fellow in Industrial Health (AFIH) or equivalent;

(v) every case of injury or illness during the course of work is reported to the supervisor in the above establishments for injury and illness surveillance and adequate and suitable arrangements are made available for speedy evacuation or referral of persons employed in every establishment mentioned above who while on duty suffers from serious bodily injury or illness of a serious nature or as the nature of injury and illness as decided by the first aider, from every establishment mentioned above or part thereof to the nearest dispensary or hospital;

(vi) every employee receiving an injury during the course of work shall report the same to the worker or supervisor who holds a certificate in first-aid treatment and who shall make arrangements for rendering first-aid to the injured as may be required. Where the employee receiving an injury is not in a position to report the same to the worker or supervisor who holds a certificate in first-aid treatment, it shall be the duty of the person who first comes to know of it to report the same to the worker or supervisor;

(vii) if in the opinion of the supervisor or worker who holds a certificate in first-aid treatment, the injury is of such a nature so as to require immediate medical attention by the qualified medical practitioner, such person shall arrange for the qualified medical practitioner to be called or bring it to the notice of the occupier or their representative in every establishment mentioned above;

(viii) it is the duty of the employer or their representative to ensure that adequate and suitable arrangements are made available for speedy transportation of that employee to nearest dispensary or hospitals preferably by means of a proper ambulance van;

(ix) additionally, following provisions shall be followed in case of mines:

(A) adequate and suitable arrangements are made for the training of the workers and supervisors in first-aid procedures;

(B) at every mine there shall be provided and maintained first aid station equipped with first-aid equipment as prescribed in the **Annexure-V**, at conveniently accessible places where injured persons may receive first-aid treatment as follows-

(a) above ground, a first- aid station –

(i) at the top of every shaft or incline where men or material are normally wound or hauled;

(ii) in every workshop;

(iii) at every screening plant and loading place; and

(iv) at every other place where more than 50 persons are employed at any one time.

(b) in every opencast working, a first-aid station-

(i) at every shovel or dragline loading point;

(ii) at rest shelter and portable rest shelter, if any;

(iii) at pumping station;

(iv) at re-fueling station;

(v) at dump yard;

(vi) at every other place where more than 50 persons are employed at any one time.

(c) below ground, one first-aid station –

(i) at the bottom of every shaft where men or material are normally wound and at or near every plant;

(ii) near the drive end of every haulage;

(iii) in or at the entrance to every district or section of the mine:

Provided that nothing in this sub-rule shall be construed to require the provision of a first-aid station within 300 metres of another first-aid station;

(iv) it shall be the duty of the persons appointed to be in charge of a first-aid station to see that the equipment provided at the first-aid station is kept in good order and that it is replenished whenever necessary;

(v) every first-aid station shall be kept under the charge of a worker or supervisor holding a first-aid certificate from institutes recognized by Central or State Government;

(vi) an up-to-date list of all first-aid stations provided in the mine shall be kept in the office of the mine;

(vii) every supervisor or official possesses a valid first-aid certificate shall carry, while on duty, a first-aid outfit consisting of one large sterilised dressing, one small sterilised dressing, adhesive bandage, skin closure strips, cotton balls, antiseptic solution, and scissor with rounded tips, such outfit shall be securely packed to protect it against dirt and water.

55. Ambulance Room.- Employer of every factory, mine and building or other construction work shall ensure that:-

(i) at every establishment mentioned above ordinarily employing more than 500 workers, a suitable ambulance room or dispensary round the clock or during working hours as the case may be and is maintained in good order. The employer of every establishment mentioned above may also tie up with hospitals for emergency services;

(ii) the ambulance room would mean a place conveniently located in or nearby premises and have adequate space and arrangements to cope up with medical emergency and contains at least the

equipment as mentioned in illustrative list given in **Annexure- II.** The employer may add more items as per requirement;

(iii) in case of mines, the ambulance room contains at least the equipment as mentioned in illustrative list given in **Annexure- IV.** The employer may add more items as per requirement;

(iv) ambulance room is under the charge of a full time qualified medical practitioner appointed directly by the employer and is assisted by adequate number of paramedical staffs (at least one nurse and one General Duty Assistant-Healthcare or Nursing Assistant);

(v) the medical practitioner required to be appointed under sub-rule (iii) has a medical qualification included in the I or II schedule or part II of the Third schedule of the Indian Medical Council Act, 1956 (102 of 1956). Persons possessing qualifications included in part II of Third schedule should also fulfil the condition specified in sub-section (3) of section 13 of the Act or as per the National Medical Commission Act, 2019 (30 of 2019) or Diploma or Degree in Industrial or Occupational Health, Associate Fellow in Industrial Health or equivalent. The Qualified Medical Practitioner shall acquire a Diploma or Degree in Industrial or Occupational Health or the Associate Fellow in Industrial Health, within one year from the date of appointment;

(vi) qualified nurse required to be appointed under sub-rule (iv) shall have qualification registered under State Nursing Council and completed training in Basic Life Support (BLS) along with experience in emergency of not less than six months duration from a multispecialty hospital;

(vii) ambulance Room is having adequate space for privacy and examination of the patient;

(viii) ambulance Room is provided with Emergency Lighting Supply and a suitable communication medium preferably handheld device;

(ix) ambulance Room is provided with drenching shower points, as may be necessary owing to the nature of work, with drainage sloping away from the showers. Water supply to drenching shower should be secured to ensure the continuous water supply.

56. Shelter and Rest Room.- Employer of every factory, mine and motor transport undertaking shall ensure that:-

(i) in every factory and mine wherein more than fifty workers are ordinarily employed and in motor transport undertaking wherein employee is required to halt at night, sufficient and a suitable lunchroom, with provision for drinking water and washing facilities, where employees can eat their meals is provided;

(ii) these facilities are provided separately and maintained for male, female, and transgender employees:

Provided that any canteen maintained in accordance with the provisions under rule 53 shall be regarded as compliance of this rule.

(iii) the shelters or rest rooms and lunch rooms conform to the following:

(a) such rooms are sufficiently lighted and ventilated and maintained in a clean and hygienic condition at all times;

(b) all the walls and roof are of suitable heat resisting materials;

(c) the roof of such room is at suitable height from the floor level and there is sufficient floor area for employee employed at any given time;

(d) every room is sufficiently furnished with suitable seating and eating arrangement:

Provided that in case of motor transport undertaking the employer shall ensure that the motor transport workers employed in the undertaking are provided with uniforms, raincoats and other like amenities, free of charge.

57. Welfare Officer.– Employer of every factory, mine and plantation shall ensure that:-

(i) welfare officers are appointed as prescribed below-

(a) the employer of every establishment mentioned above ordinarily employing between two hundred and fifty and upto five hundred workers appoints at least one welfare officer, and where the number of workers exceeds five hundred, an additional welfare officer for every additional five hundred workers or fraction thereof over five hundred is appointed;

(b) in every establishment mentioned above where both male and female workers are employed, the number of women welfare officers to be appointed shall be in proportion to the women workers employed and where the number of women employed is more than one hundred and the total number of women workers does not exceed one thousand, an additional woman welfare officer is appointed;

(c) where there is more than one welfare officer appointed, one of them is designated as the Chief Welfare Officer and the others as welfare officers;

(ii) person appointed as Welfare Officer has obtained a post graduate degree or diploma in social work or human resources management or labour welfare from any institution recognised by the Central or State Government in this behalf; and has knowledge of the language spoken by the majority of the workers in every establishment mentioned above.

(iii) the appointment is intimated by the employer electronically or otherwise to Inspector-cum-Facilitator, giving the details of qualifications, etc. of the officer appointed and the conditions of their service.

(iv) (a) a Welfare Officer is given appropriate status corresponding to that of the other executives of every establishment mentioned above and appointed on an executive or officer pay scale;

(b) the conditions of service of a Welfare Officer are the same as that of other members of the executives or officer of corresponding status in every establishment mentioned above :

Provided that, in the case of discharge or dismissal, the Welfare Officer will have a right of appeal to the Chief Inspector-cum-Facilitator, whose decision thereon is final and binding upon the employer.

(v) Duties of a Welfare Officer:

(a) to establish contacts and hold consultations with a view to maintaining harmonious relations between the management and workers;

(b) to bring to the notice of the management the grievances of workers with a view to securing expeditious redressal and to act as a liaison officer between the management and workers;

(c) to study and understand the point of view of workers in order to help the management to shape and formulate labour policies and to interpret these policies to the workers in a language they can understand;

(d) to advise on compliances, obligations, statutory or otherwise, concerning regulation of working hours, maternity benefit, medical care, compensation for injuries and sickness and other welfare measures and social Security benefits;

(e) to advise on provision of welfare facilities, such as housing facilities, foodstuffs, social and recreational facilities, sanitation, individual personnel problems and education of children; and

(f) to advise the management on training of new recruits, apprentices, workers on transfer and promotion, instructors and supervisors, supervision and control of notice board and information bulletins to further education of workers and to encourage their attendance at technical institutes;

(vi) welfare officers shall not deal with disciplinary cases or appear on behalf of the management against workers or appear before a conciliation officer or tribunal on behalf of every establishment mentioned above management.

58. Crèche Facility.- Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, motor transport undertaking, dock work and plantation shall ensure that-

(i) wherein more than fifty workers are ordinarily employed, a crèche facility is provided and maintained for the use of children under the age of six years of employees;

(ii) mobile crèche will be provided, wherever required;

(iii) each Crèche facility is free and accessible to all employees;

(iv) the Crèche is located within the workplace as much as possible, or in a nearby accessible location;

(v) the Crèche is not situated in close proximity to any part of the building or construction worksite where obnoxious fumes, dust or odours are given off or in which excessively noisy processes are carried on;

(vi) there is in or adjoining the crèche a suitable washroom for the washing of the children and their clothing;

(vii) the Crèche is maintained in a clean, hygienic and sanitary condition;

(viii) personal cleanliness of the child is maintained;

(ix) the Crèche is under the charge preferably woman for the care of children and infants;

(x) police verification of in charge of creche, support staff and guard are mandatory;

(xi) the person in charge of the crèche should have and maintain information about the child's identity, residential address etc;

(xii) details of the person who is picking up and dropping the child to the creche should be available with the caretaker and the child should be handed over to that person only. In case any other person picks up or drops the child, then such person's identity with the authorization from parents would be necessary;

(xiii) attendance of all children is taken in the morning on the child's arrival as well as at the time when child is picked up;

(xiv) sufficient supply of clean clothes, soaps and clean towels is available for each child while the child is in the Crèche;

(xv) the Crèche is furnished with a suitable number of resting arrangements;

(xvi) sufficient supply of nutritious, wholesome and healthy food to all children as per their dietary requirements is provided;

(xvii) all sharp objects like scissors, knives, blades, pins etc. are always kept away from the children;

(xviii) chemicals such as detergents, cleaning agents, phenyl etc. are kept out of the child's reach;

(xix) the Crèche is provided with non-combustible covered receptacles for the disposal of waste food or other waste material;

(xx) all electrical switches or plugs are out of children's reach;

(xxi) planning of evacuation plan and display of the same at the crèche;

(xxii) no child is left alone at any point in the crèche, even during breaks;

(xxiii) any kind of verbal or physical abuse is strictly prohibited;

(xxiv) any kind of sexual abuse and sexual exploitation to be strictly dealt under Protection of Children

from Sexual Offences Act, 2012;

(xxv) through the supervisor, that no persons, known or unknown be allowed inside the crèche at any point of time, during the functioning hours of the crèche. For example, civil work should preferably be done during weekend or holidays only;

(xxvi) the Crèche has Closed Circuit Television monitoring during the working hours;

(xxvii) important and emergency contact numbers (helplines like 112, 1098, fire services, child protection officer, nearest police station etc.) are displayed within the creche premises for easy access and reference;

(xxviii) required medical support system or staff is made available on call;

(xxix) feeding room to be provided in the Crèche:

Provided that an establishment can avail common crèche facility of the Central Government, State Government, municipality or private entity or provided by non-governmental organisation or by any other organisation or group of establishments may pool their resources for setting up of common crèche in the manner as they may agree for such purpose.

59. Mock Drills.- Employer of every factory, mine, building or other construction work, industrial premise for manufacture of beedi and cigar, motor transport undertaking, and dock work shall ensure quarterly conduct of Mock drills to check emergency preparedness to deal with various emergencies.

Provided that the employer of every plantation shall ensure annually conduct of mock drills to check emergency preparedness to deal with various emergencies.

B. MINES

60. Medical Examination.- The employer of every mine shall ensure that: -

(i) medical examination of every employee employed or to be employed in a mine including contract labour is done before commencement of their employment and subsequently every year;

(ii) the contract labour is provided with the medical facilities at par with regular employees;

(iii) in the event of any dispute under the provisions of sub-rule (i), the matter may be referred to the appellate medical board constituted under these rules.

61. Residential facilities for workers including contract labours.- Residential facility, if any, provided by mine employer, shall be at a safe distance from the active working area of opencast workings, pits, shafts, dump yards, stock piles, unstable workings, wells and other installations in oil mines for workers including contract labour.

C. BUILDING OR OTHER CONSTRUCTION WORK

62. Living accommodation.- Every employer of a building or other construction work shall ensure that suitable temporary living accommodation, free of charge are made available for the workers at construction sites remote from their homes, where adequate transportation between the site and their homes or other suitable living accommodation is not available. Further, the principal employer will pay the expenses incurred on providing accommodation to the contractor where the building or other construction work is done through the contractor.

D. MOTOR TRANSPORT UNDERTAKING

63. Medical facilities.- The employer of every motor transport undertaking shall ensure that: -

(i) at every operating centre and halting station (which, in the case of city service, shall include only depots and other offices), a suitable medical facilities room or dispensary is available round the clock or during working hours as the case may be and is maintained in good order;

(ii) the medical facilities room or dispensary is situated at a convenient place in the operating centre and halting station and have adequate space and arrangements to cope up with medical emergency and contains at least the equipment as mentioned in illustrative list given in **Annexure- VI.** The employer may add more items as per requirement;

(iii) medical facilities room or dispensary is under the charge of a full time qualified medical practitioner appointed directly by the employer and is assisted by adequate number of paramedical staffs (at least one nurse and one General Duty Assistant-Healthcare or Nursing Assistant);

(iv) the medical practitioner required to be appointed under sub-rule (iii) has a medical qualification included in the I or II schedule or part II of the Third schedule of the Indian Medical Council Act of 1956. Persons possessing qualifications included in part II of Third schedule should also fulfil the condition specified in section 13(3) of the Act or as per the National Medical Commission, Act 2019 or Diploma or Degree in Industrial or Occupational Health, or Associate Fellow in Industrial Health or equivalent. The Qualified Medical Practitioner shall acquire a Diploma or Degree in Industrial or Occupational Health or the Associate Fellow in Industrial Health within one year from the date of appointment;

(v) qualified nurse required to be appointed under sub-rule (iii) shall have qualification registered under State Nursing Council and completed training in Basic Life Support along with experience

in emergency of not less than six months duration from a multispecialty hospital;

(vi) medical facilities room or dispensary is having a minimum of two rooms. One of the rooms is used for sitting of staff and storage of medicines. The other room is used as emergency cum dressing room or observation room for sick;

(vii) medical facilities room or dispensary is provided with Emergency Lighting Supply and a suitable communication medium preferably handheld device.

CHAPTER VII
HOURS OF WORK AND ANNUAL LEAVE WITH WAGES

64. Working Hours.- (1) No worker shall be required or allowed to work in an establishment for more than forty eight hours in a week.

(2) In case of transport vehicle**,** a maximum of fifteen minutes interruption shall be allowed any time during which the running of the transport vehicle is interrupted.

65. Working hours of working journalist.– (1) The provisions under this rule shall apply to working journalist but not apply to editors or to correspondents, reporters or news photographers.

(2) Notwithstanding anything contained in sub-rule (1), the following provisions shall apply to every correspondent, reporter or news photographer stationed at the place at which the newspaper establishment in relation to which any such person is employed is situated, namely-

(a) subject to such agreement as may be arrived at either collectively or individually between the parties concerned, every such correspondent, reporter or news photographer shall, once enters upon duty on any day, be deemed to be on duty throughout that day till finishes all the work assigned during that day:

Provided that if such correspondent, reporter or news photographer has had at their disposal for rest any interval or intervals for a total period of two hours or less between any two or more assignments of work, they shall not be deemed to be on duty during such period:

Provided further that where the total period of such interval or intervals exceeds two hours, they shall be deemed to be on duty during the period which is in excess of the said period of two hours;

(b) period of working in excess of thirty-six hours during any week, which shall be considered as a unit of work for the purposes of this sub-rule, shall be compensated by rest during the succeeding week and shall be given in one or more spells of not less than three hours each:

Provided that where the aggregate of the excess hours worked falls short of three hours, the duration of rest shall be limited only to such excess.

(3) The number of hours which shall constitute a normal working day for a working journalist exclusive of the time for meals shall not exceed six hours per day in the case of a day shift and five and a half hours per day in the case of a night shift and no working journalist shall ordinarily be required or allowed to work for longer than the number of hours constituting a normal working day.

(4) Subject to such agreement as may be arrived at between a newspaper establishment and working journalists employed in that establishment, the periods of work for working journalist shall be so fixed that no working journalist shall work for more than four hours in the case of a day shift and three hours in the case of a night shift before they had an interval of rest, in the case of the day shift for one hour, and in the case of the night shift for half an hour.

(5) When a working journalist work for more than six hours on any day in the case of a day shift and more than five and a half-hours in the case of a night shift, they shall, in respect of that overtime work, be compensated in the form of hours of rest equal in number to the hours for which they have worked overtime or compensated by wages, which shall be twice the rate of wages.

(6) No working journalist shall be employed on a night shift continuously for more than one week at a time or for more than one week in any period of fourteen days.

(7) In the case of change of shift from night to day shift or vice versa, there shall be an interval of not less than twenty-four consecutive hours between the two shifts and in the case of a change from one day shift to another day shift or from one night shift to another night shift there shall be interval of not less than twelve consecutive hours:

Provided that no such interval may be allowed if such interval either coincides with or falls within, the interval enjoyed by a working journalist under sub-section (2) of section 25.

66. Holidays and leaves for sales promotion employees and working journalist.-

(1) A working journalist or sales promotion employee shall be entitled to ten holidays in a calendar year.

(2) Where a working journalist or sales promotion employee is required to attend on a holiday, a compensatory holiday shall be given to them , within thirty days immediately following the holiday, on a day mutually agreed upon by them and their employer.

(3) The working journalist or sales promotion employee shall be entitled to wages on all holidays as if such employee was on duty.

(4) The working journalist or sales promotion employee shall be entitled to wages for the weekly day of rest as if such employee was on duty.

(5) The working journalist or sales promotion employee may designate one or more officers in that establishment as competent officers for the purposes of these rules.

(6) The working journalist or sales promotion employee who desire to obtain leave shall apply in writing to the competent officer of the establishment.

(7) On an application for leave under sub-rule (6), other than casual leave, leave on medical certificate and quarantine leave, shall be made not less than one month before the date of commencement of leave, except in urgent or unforeseen circumstances.

(8) When leave is refused or postponed, the competent officer of the establishment shall record the reasons for such refusal or postponement, as the case may be and send a copy of the order to the working journalist or sales promotion employee as the case may be.

(9) Holidays, other than weekly days of rest, shall not be prefixed or suffixed to any leave without the prior sanction of the competent officer of the establishment.

(10) A holiday including a weekly rest day, intervening during any leave granted under this rule shall form part of the period of leave.

(11) (i) An establishment may recall an working journalist or sales promotion employee on leave, if that establishment considers it necessary to do so and in the event of such recall, such working journalist or sales promotion employee shall be entitled to traveling allowance, if at the time of recall such working journalist or sales promotion employee is spending their leave at a place other than headquarters;

(ii) The traveling allowance, which shall be paid under clause (i) shall be determined in accordance with the rules of the establishment governing traveling allowance for journeys.

(12) A working journalist or sales promotion employee who has availed themselves of leave for reasons of health may, before they resume duty, be required by their employer to produce a medical certificate of fitness from the designated qualified medical practitioner who issued the medical certificate.

(13) Every establishment employing working journalist or sales promotion employee may designate one or more qualified medical practitioners.

(14) (i) An working journalist or sales promotion employee shall be entitled to earned leave on full wages for a period not less than one month for every eleven months spent on duty:

Provided that such working journalist or sales promotion employee shall cease to earn further such leave when the earned leave due amounts to one hundred twenty days;

(ii) The period spent on duty shall include the weekly holiday, holidays, casual leave and quarantine leave.

(15) The working journalist or sales promotion employee on earned leave shall draw wages equal to their average monthly wages earned during the period of twelve complete months spent on duty or if the period is less than twelve complete months, during the entire such period, immediately preceding the month in which the leave commences.

(16) (i) When a working journalist or sales promotion employee voluntarily relinquishes their post or retires from service on reaching the age of superannuation, they shall be entitled to cash compensation for earned leave not availed of up to a maximum of one hundred and twenty days:

Provided that working journalist or sales promotion employee who has been refused earned leave due to such employee shall be entitled to get cash compensation for the earned leave so refused:

Provided further that working journalist or sales promotion employee who dies while in service and who has not availed earned leave due to them immediately preceding the date of their death, their heirs shall be entitled to cash compensation for the leave not so availed of.

(ii) Where the services of a working journalist or sales promotion employee is terminated for any reason whatsoever, other than as punishment inflicted by way of disciplinary action, shall be entitled to cash compensation for earned leave not availed of up to a maximum of one hundred and twenty days.

(iii) Such cash compensation shall not be less than the amount of wages due to an employee for the period of leave not availed of, the relevant wage being that which would have been payable to such employee had they actually proceeded on leave on the day immediately preceding the occurrence of any of the events specified in clause (i) or clause (ii), as the case may be.

(17)(i) A working journalist or sales promotion employee shall be entitled to leave on medical certificate on one-half of the wages at the rate of not less than one month for every eighteen months of service**:**

Provided that such employee shall cease to earn such leave when the leave on medical certificate amounts to ninety days.

(ii) Such medical certificate shall be from a qualified medical practitioner:

Provided that when a working journalist has proceeded to a place other than their headquarters with the permission of employer and falls ill, they may produce a medical certificate from any qualified medical practitioner:

Provided further that the employer may, when the registered medical practitioner whose certificate is produced is not in the service of the Government, arrange at their own expense for the medical examination of the working journalist or sales promotion employee concerned by any Government Medical Officer not below the rank of a Civil Assistant Surgeon or by any other Medical Officer in charge of a hospital run by a leave authority or a public organisation at that place.

(iii) Leave on medical certificate may be taken in continuation with earned leave but the total duration of earned leave and leave on medical certificate taken together shall not exceed a hundred and twenty days at any one time:

Provided that Medical Board may recommend for leave beyond one hundred twenty days.

(iv) A working journalist or sales promotion employee shall be entitled at their option to convert leave on medical certificate on one-half of the wages to half the amount of leave of full wages.

(v) The ceiling laid down in the provision to clause (i) and (iii) on the accumulation and total duration of leave may be relaxed by the competent officer in the cases of working journalists or sales promotion employees suffering from lingering illness such as tuberculosis;

(vi) Leave on medical certificate or converted leave on medical certificate referred to in clause (i) and (iv) respectively may be granted to a working journalist or sales promotion employees at their request notwithstanding that earned leave is due to them.

(18) **(i)** Quarantine leave on full wages shall be granted on medical certificate of the designated qualified medical practitioner as under sub-rule (13) or where there is no such designated qualified medical practitioner, by a district public health officer or other Municipal Health Officer of similar status, for a period not exceeding twenty-one days or, in exceptional circumstances, thirty days.

(ii) Any leave necessary for quarantine purposes in excess of that period shall be adjusted against any other leave that may be due to the working journalist or sales promotion employee.

(19) A working journalist or sales promotion employee who has no leave to their credit may be granted extraordinary leave without wages at the discretion of the establishment in which such working journalist or sales promotion employee is employed.

(20) A working journalist or sales promotion employee who has no leave to their credit may be granted leave at the discretion of the establishment in which such working journalist or sales promotion employee is employed.

(21) A working journalist or sales promotion employee may be granted study leave with or without wages at the discretion of the establishment in which such working journalist or sales promotion employee is employed.

(22) (i) A working journalist or sales promotion employee shall be eligible for casual leave at the discretion of the establishment for fifteen days in a calendar year:

Provided that not more than five days shall be taken at any one time and such leaves shall not be combined with any other leave.

(ii) Casual leave not availed of during a calendar year will not be carried forward to the following year.

67. Weekly holiday .- (1) The employer shall post a notice at conspicuous places of workplace of every establishment, showing the weekly holiday including digital means like electronic notice boards.

(2) Where the weekly holiday is not the same day for all persons employed in the establishment, the notice shall show the holiday allowed to each relay or set of persons or individual in Hindi or English and in local language.

68. Compensatory holidays.- (1) Except in the case of worker engaged in any work which for technical reasons must be carried on continuously throughout the day, the compensatory holidays to be allowed and shall be so spaced that not more than two compensatory holidays are given in one week.

(2) The employer of the establishment shall display on or before the end of the month in which holidays are lost, a notice in respect of workers allowed compensatory holidays during the following month and of the dates thereof, at the place at which the notice of periods of works is displayed.

(3) Any subsequent change in the notice in respect of any compensatory holiday shall be made not less than three days in advance of the date of that holiday.

(4) Any compensatory holiday to which a worker is entitled shall be given to them before discharged or dismissed and shall not be reckoned as part of any period of notice required.

69. Wages for overtime.- (1) Where in an establishment-

(a) a worker works for more than eight hours in any day as daily wager or

(b) a worker, other than daily wager, for more than forty-eight hours in any week

Worker shall in respect of such overtime work be entitled to wages at the rate of twice the rate of their wages and shall be paid at the end of each wage period.

(2) In calculating overtime on any day, a fraction of an hour between 15 to 30 minutes shall be counted as thirty minutes and in case of more than thirty minutes it shall be rounded and shall be counted as an hour on actual basis.

(3) In calculating the wages or earnings in the case of a worker paid by the month, the daily wages shall be 1/26th of their monthly wages and in the case of any other worker it shall be the daily wages or earnings as the case may be.

(4) The hours of work mentioned in Rule 64 may exceed under the followings works and circumstances in respect of dock, mine and building or other construction work, namely:-

(a) urgent repairs;

(b) work in the nature of preparatory or complimentary work;

(c) work which is necessarily so intermittent that the intervals during which they do not work while on duty ordinarily amount to more than the intervals for rest;

(d) work which for technical reasons must be carried on continuously;

(e) engaged in making or supplying articles of prime necessity which must be made or supplied every day;

(f) engaged in a process which cannot be carried on except during fixed seasons;

(g) engaged in a process which cannot be carried on except at times dependent on the irregular action of natural forces;

(h) engaged in an engine-rooms or boiler-houses or in attending to power-plant or transmission machinery;

(i) engaged in process on account of the break-down of machinery;

(j) engaged in the loading or unloading of railway wagons or lorries or trucks or ships;

(k) exceptional press of work; and

(l) engaged in any work, which is notified by the Central Government in the Official Gazette as a work of national importance:

Provided that no worker shall be allowed to work overtime exceeding one hundred forty-four hours in any quarter of a year:

Provided further that for overtime, a worker shall be paid wages as per section 27 of the Code at the end of each wage period.

70. Restriction on double employment in mines.- Circumstances for exemption from restriction on double employment in mines shall be specified by general or special order issued by the Central Government issued from time to time

71. Notice of periods of work.- The notice referred to in sub-section (2) of section 31 of the Code shall be displayed at conspicuous places on a notice board or electronic board of the establishment and maintained in **FORM-XII** and a copy of such notice shall be sent to Inspector-cum-Facilitator electronically or by speed post.

CHAPTER VIII

MAINTENANCE OF REGISTER, RECORDS AND RETURNS

72. Maintenance and production of reports, registers and other records.-(1) Every employer of establishment shall maintain: -

(i) **employee register** in **FORM XIII;**

(ii) **attendance register-cum-muster roll** in **FORM XIV;**

(iii) **register for wages, over time and deduction** in **FORM XV;**

(iv) registers under this rule shall be maintained electronically or otherwise;

(v) entries in the registers shall be made in English or Hindi and in local language;

(vi) every employer shall produce records and registers, on demand before the Inspector-cum-Facilitator or any person authorised by the Central Government;

(vii) all the registers and other records shall be preserved in original for a period of five calendar years from the date of last entry made therein.

(2) Every employer shall issue wage slips**,** electronically to the employees in **FORM XVI** on or before the day of payment of wages to the employee.

(3) In respect of establishment which are required to maintain register under the rules framed under the Code on Wages 2019, the above registers and wage slips required to be maintained by the employer of the establishment under Code on Wages, 2019 and rules made thereunder shall be deemed to be maintained by the employer under these rules.

(4) All registers and other records required to be maintained under the Code shall be maintained complete and up-to-date and unless otherwise provided for, shall be kept at an office or the nearest convenient building within the precincts of the work place or at a place within a radius of three kilometers.

(5) The employer to which the provisions of this Code applies, on or before the 28th or 29th day of February following the end of each Calendar year, upload a return in **FORM-XVII** and **XVIII** on the designated portal and provided that during inspection, the Inspector-cum-Facilitator may require the production of accounts, books, register and other documents maintained in electronic form.

Explanation – For the purposes of this sub-rule, the expression "electronic form" shall have the same meaning as assigned to it in clause (r) of section 2 of the Information Technology Act, 2000 (21 of 2000).

(6) Where the employer to which the provisions of this Code applies sells, abandons or discontinues the working of the establishment, then such employer shall, within one month of the date of such sale or abandonment or four months of the date of such discontinuance as the case may be, upload online, on the designated portal , a further return in **FORM-XVII** and **XVIII** referred to in sub-rule (5) in respect of the period between the end of the preceding year and the date of the sale, abandonment or discontinuance.

(7) In case of manual registers and other records,

(i) be legibly entered in ink in English, or Hindi and in local language and signed by employer;

(ii) be preserved in original for a period of five years after the date of the last report or entry:

Provided that when the original record is lost or destroyed before the expiry of five years period, true copies thereof, if available, shall be preserved for a specified period;

(iii) be produced, electronically or by speed post, on demand before the Chief Inspector-cum-Facilitator or an Inspector-cum-Facilitator or any person authorised in that behalf of the Central Government.

(8) Every establishment to which Chapter III (Employees' Provident Fund) and Chapter IV (Employees' State Insurance Corporation) of the Code on Social Security, 2020 applies shall submit a self-declaration in PART-IV of **FORM- XVII** electronically.

73. Display on notice board .- Every employer shall display or caused to be display at conspicuous places of the workplace of the establishment under their control, notices owing the name and address of the establishment, hours of work, wage period, date of payment of such wages, details of accident and dangerous occurrence in the establishment for the last five years, name and address of the Inspector-cum-Facilitator having jurisdiction to such establishment and date of payment of unpaid wages to such workers in English or Hindi and in the local language.

74. Annual Return.- Every employer of an establishment shall send an annual return relating to such establishment in **FORM-XVII** related to category of employees, health and welfare facilities, retrenchment or layoffs, bonus, maternity benefits etc. to the Inspector-cum-Facilitator having jurisdiction so as to reach on or before the last day of February following the end of each Calendar year electronically.

75. Register of accident and dangerous occurrences.- The registers of accident and dangerous occurrences required by sub-clause (v) of clause (a) of section 33 of the Code shall be maintained in **FORM-XIX.**

76. Register of leave with wages.- (1) The employer of every establishment shall maintain in respect of every employee thereof a record of leave with wages electronically or otherwise in **FORM-XX** and shall share the leave records of the respective employee, once in a Calendar year, on demand.

(2) The register mentioned in sub-rule (1) shall be preserved for a period of five years after the last entry in them has been made and shall not be destroyed even after the expiry of that period unless it has been properly transferred to the new register.

CHAPTER-IX

INSPECTOR-CUM-FACILITATOR AND OTHER AUTHORITY

77. Power to take samples of any articles or substances.- (1) An Inspector-cum-Facilitator shall take samples or substances in an establishment as per the inspection scheme under the Code after informing the employer of the establishment, taken in the manner herein after provided a sufficient sample of any substance used or intended to be used in the establishment, such use being–

(a) in the belief of the Inspector-cum-Facilitator in contravention of any of the provisions of the code or the rules made there under; or

(b) in the opinion of the Inspector-cum-Facilitator likely to cause bodily injury to, or injury to the health of employee in the establishment.

(2) Where the Inspector-cum-Facilitator takes a sample under sub-rule (1), the Inspector-cum-Facilitator shall, in the presence of the person informed under that sub-rule (1) unless such person willfully absents themselves , divide the sample into three portions and effectively seal and suitably mark them and shall permit such person to add their own seal and mark thereto.

(3) The person informed as aforesaid shall, if the Inspector-cum-Facilitator requires, provide the appliance for dividing, sealing and marking the sample taken under this rule.

(4) The Inspector-cum-Facilitator shall-

(a) forthwith give one portion of the sample to the person informed under sub-rule (1);

(b) forthwith send the second portion of the sample to a Government Analyst or to a Laboratory accredited by National Accreditation Board for Testing and Calibration Laboratories for analysis and report thereon;

(c) retain the third portion of the sample for production to the Court before which proceedings are instituted in respect of the substance.

(5) Any document purporting to be a report under the hand of any Government Analyst or to a Laboratory accredited by National Accreditation Board for Testing and Calibration Laboratories upon any substance submitted for analysis and report under this rule, may be used as evidence in any proceeding instituted in respect of the substance.

78. Powers and duties of Inspector-cum-Facilitator.- **(1) Inspector-cum-Facilitator shall, after every inspection, as may be deemed necessary, issue improvement notice in the FORM- XXV pointing out the non-compliance of provisions of safety, health and working conditions under the Code or rules or regulations or standards made there under, to the employer or occupier or manager or owner or master or officer-in-charge of the ship or their agent.**

(2) An Inspector-cum-Facilitator shall at each inspection, ascertain to what extent any shortcomings notified at a previous inspection have been rectified and the notices previously issued have been complied with and their findings and any shortcomings which may come to light during the inspection, together with any order passed by them under the Code or rule or the regulations or standards made thereunder shall be recorded and maintained.

79. Powers and Duties of District Magistrate.- Powers and duties of District Magistrate in respect of mines, will be specified by general or special order by the Central Government issued from time to time.

80. Qualifications and experiences, duties and responsibilities of experts.-The scheme will be notified for empaneling experts for third party audit and certification. The qualifications and experiences, duties and responsibilities of experts to be empaneled will be notified through general or special order by the Central Government issued from time to time.

81. Appointment of Medical officer.- (1) The Medical Officer shall be a medical practitioner who possesses any recognised medical qualification as defined in the National Medical Commission Act, 2019 (30 of 2019), enrolled on a State medical register defined in National Medical Commission Act, 2019.
(2) The Medical Officer shall be trained in Occupational Health course including International Labour Organisation classification of chest radiograph duly recognised by the Central Government.

82. Duties of medical officer.- (1) On receipt of a reference under clause (c) sub section (2) of section 42 of the Code, the medical officer shall, after giving prior notice regarding date, time and place for medical examination and upon examining the worker sent for such examination, prepare the age and fitness certificate and deliver the same to the manager of the establishment and the worker concerned after retaining a copy thereof.

(2) The medical officer may seek opinion of specialists like radiologist, dentist and orthopedic surgeon as the case may be, for the purpose of determination of age.

(3) Medical Officer shall carry out such examination and furnish such report as Central Government may direct-

(a) for examination and certification of workers in an establishment in such hazardous processes as specified in the First Schedule to the Code;

(b) for medical supervision of any establishment or class of establishment where cases of chronic occupational illness have occurred due to hazardous nature of any process carried on or hazardous condition of work;

(c) in respect of any establishment or class of establishment or description of establishment in which operations involve any risk of injury to the health of any person or class of persons employed therein;

(d) to undertake occupational health survey for any or class of an establishment, where cases of illness have occurred or there is prevalence of diseases as specified in the Third Schedule to the Code;

(e) to assess the age and issue fitness of adolescent for employment in an establishment or class of establishment.

CHAPTER X
SPECIAL PROVISION RELATING TO EMPLOYMENT OF WOMEN

83. Employment of Women in establishment.-The following conditions shall be met for employment of women during night or before 6.00 a.m. and beyond 7.00 p.m in any day, namely:-

(a) the consent of woman employee shall be taken in writing;

(b) no women shall be employed against the maternity benefit provisions laid down under the Code on Social Security, 2020 (36 of 2020);

(c) adequate transportation facilities shall be provided to women employee to pick-up and drop such employee at her residence;

(d) the workplace including passage towards conveniences or facilities concerning toilet, washrooms, drinking water, entry and exit of women employee should be well-lit; the toilet, washroom and drinking facilities should be near the workplace where such women employee are employed and suitable provisions of closed-circuit television surveillance on the way to these facilities shall be provided;

(e) provide safe, secure and healthy working condition is provided so that no women employee is disadvantaged in connection with her employment;

(f) dedicated telephone numbers of the establishment shall be displayed at conspicuous places both at the establishment as well as inside the vehicles, so that any women employee can utilise them, in case of any exigency or emergency;

(g) in case of below ground mine not less than three women employees shall be on duty at any place; and

(h) the provisions of the Sexual Harassment of Women at workplace (Prevention, Prohibition and Redressal) Act, 2013 (14 of 2013), as applicable to the establishments, shall be complied with.

84. Adequate safety of employment of women in dangerous operations.- The Central Government may declare from time to time by notification, the class of establishments and the standard for safeguarding of women employed in hazardous processes as specified in the First Schedule to the Code.

CHAPTER XI

PART I

CONTRACT LABOUR

85. Qualification and criteria of the contractor.- For the purposes of obtaining license, the contractor as an entity or as an individual shall not be an un-discharged insolvent or be convicted at any time during the last two years, of an offence which is liable for punishment for more than three months of imprisonment.

86. Conditions of License.- (1) The contractor shall ensure that:-

(i) the hours of work shall conform to rules relating to section 25 of the Code;

(ii) the wages shall be paid in accordance with the Code on Wages, 2019 (29 of 2019);

(iii) if the contract labour of the contractor is working at the premises of the principal employer, then it shall be the responsibility of the principal employer to provide the facilities or amenities such as toilet, washroom, drinking water, bathing facilities if required, changing room, first aid box, canteen and crèche; and

(iv) all other facilities and entitlements shall be provided by the contractor.

(2) In case the contractor fails to make payment of minimum wages to the contract labour, then, the Chief Labour Commissioner (Central) or their representative, shall cause such payment to be made to the contract labours who have not been paid**,** out of the security deposit referred to in rule 90 including by invoking the bank guarantee.

(3) The contractor shall intimate within fifteen days of the receipt of a contract work order about the details of the contract work order in the manner as specified in rule 94.

87. Form and manner of application for contractor license.- Every application by a contractor within a state for the grant of a license shall be made on-line electronically through Shram Suvidha Portal in **FORM-XXI.**

88. Single Licence for Contractor in more than one States or for whole of India.- (1) If a contractor desirous of obtaining licence for-

(i) supplying or engaging contract labour;

(ii) undertaking or executing the contract works under sub-section (1) or sub-section (2) of section 47 then, contractor shall apply electronically on Shram Suvidha Portal or Portal designated by the Central Government in **FORM-XXI** to the licensing authority for more than one States or for the whole of India.

(2) Application for single licence under this rule shall be submitted electronically to the authority.

(3) The concerned State Government shall be consulted by the authority electronically and if no

response is received within thirty days from the date of issue of such communication the consultation process is deemed to have been complied with.

(4) All applications under this rule shall be either approved or disapproved within a period of forty-five days, from the date of application by the contractor, beyond which it shall be deemed that there are no objections and the license shall be auto-generated on the Portal referred to in sub-rule (1).

(5) Copy of the licence so issued shall be sent to the State Government in whose jurisdiction, the contract work or works for which licence is issued.

(6) Licence issued under this rule shall be valid for five years.

89. Forms, terms and conditions of licence.-(1) Every licence granted shall be in **FORM-XXII**.

(2) Every licence granted or renewed is subject to the following conditions, namely:—

(i) the licence shall be non-transferable;

(ii) the number of contract labour employed by the contractor shall not, on any day, exceed the maximum number specified in the licence;

(iii) the fees paid for the grant or renewal of the licence shall be non-refundable;

(iv) the rates of wages payable to the contract labours by the contractor shall not be less than the rates fixed under the Code on Wages, 2019 and where the rates have been fixed by agreement, settlement or award, shall not be less than the rates so fixed.

90. Procedure for issue of licence.- (1) Before a licence is issued, bank guarantee for an amount of security calculated at the rate of Rs. 1000/- for each of the contract labours to be employed, in respect of which the application for licence has been made, shall be deposited by the contractor with the authority for performance of the conditions of the license and compliance with the provisions of the Code.

(2) If contractor proposes to engage one lakh or more but less than one lakh fifty thousand contract labours an amount of security shall be Rs. 10 Crore and engages one lakh fifty thousand but less than two lakhs contract labour an amount of security shall be Rs. 15 Crores and engages two lakh or more contract labour an amount of security shall be Rs. 20 Crores.

(3) Wherein the issued contract license had expired, based on the request of the applicant in **FORM-XXII**, the authority may adjust the security deposit under sub-rule (1) in respect of their application for new license.

(4) The fees to be paid for the grant of a license shall be as specified in the Table:

(a)	No license is required up to 49 contract labour	Nil.
(b)	50 and above but not exceeding 100 contract labour	Rs. 1000
(c)	101 and above but not exceeding 300 contract labour	Rs. 2000
(d)	301 and above but not exceeding 500 contract labour	Rs. 3000
(e)	501 and above but not exceeding 1000 contract labour	Rs. 5000
(f)	1001 and above but not exceeding 5000 contract labour	Rs. 10000
(g)	5001 and above but not exceeding 10000 contract labour	Rs. 20000
(h)	10001 and above but not exceeding 20000 contract labour	Rs. 30000
(i)	exceeding 20001 contract labour	Rs. 40000

91. Renewal of licence of Contractor.- (1) Every contractor shall apply electronically on Shram Suvidha Portal to the licensing authority for renewal of the licence.

(2) Every such application shall be submitted on the Portal referred to in sub-rule (1) at least thirty days prior to expiry of licence period but not before ninety days of such expiry of licence.

(3) The fee chargeable for renewal of the licence shall be the same as for the grant of licence under rule 90:

Provided that if the application for renewal is not received within the time specified in sub-rule (2), an additional fee of twenty five per cent shall be payable for such renewal.

(4) It shall be the responsibility of the authority concerned to renew licence within seven days electronically failing which the licence shall be deemed to be issued and auto generated.

92. Refund of security deposit.-(1) On expiry of the period of licence the contractor may, if not intends to have their licence renewed further, make an application electronically to the licensing authority for the refund of the security deposited by them along with copy of licence so expired and notice of completion of work and bank details in which amount is required to be refunded.

(2) Where the authority is satisfied that there is no breach of the conditions of licence or there is no order for the forfeiture of security deposit or any portion thereof, authority shall direct the return of the security deposit to the contractor.

(3) If there is any order directing the forfeiture of any portion of security deposit, the amount to be forfeited shall be deducted from the security deposited and balance, if any, shall be refunded to the contractor within thirty days from the making of application.

(4) Any application for refund shall, be disposed of within thirty days of the making of such application.

93. Responsibility of contractor.-(1) The rates of wages payable to the workers by the contractor shall not be less than the rates fixed under the Code on Wages, 2019 and where the rates have been fixed by agreement, settlement or award, not less than the rates so fixed.

(2) In case where the contract labour employed by the contractor performs the same or similar kind of work as the worker directly employed by the principal employer of the establishment, the holidays, hours of work and other conditions of service of the contract labour of the contractor shall be the same as applicable to the workers directly employed by the principal employer of the establishment on the same or similar kind of work.

(3) In case of any dispute whether the work is of similar kind, the matter be referred to the concerned Deputy Chief Labour Commissioner (Central) whose decision shall be final.

(4)All contract labour shall be made member of Employees' Provident Fund Organisation and Employees' State Insurance Corporation subject to applicability as under respective provisions of the Code on Social Security, 2020 (36 of 2020).

(5) The contractor shall notify any change in the number of contract labours or conditions of work on the Shram Suvidha Portal.

94. Intimation of work order and time limit for intimation.- (1) Every contractor shall within fifteen days of the receipt of a contract work order shall intimate about the contract work order containing the details such as the name of the principal employer, address of the premises where work is being undertaken, date of commencement of the contract work, the number of contract labour employed under that work order, duration of work orders through Shram Suvidha Portal.

(2) The details of work order shall be sent under sub-rule (1) by the contractor or their authorised representative.

(3) The intimation under sub-rule (1) shall be sent electronically on Shram Suvidha portal.

95. Revocation and suspension of license.- (1) If the authority is satisfied that the licence has been obtained by mis-representation or suppression of any material fact or if the contractor has failed to comply with the conditions subject to which licence was granted or the contractor has contravened any provision of Part-I of Chapter-XI of the Code or rules made there under, the Authority shall issue a show cause notice of fifteen days to the contractor electronically.

(2) Upon receipt of the reply from the contractor within 15 days of the receipt of the notice, the Licensing Authority shall examine the same and in case the licensing authority is of the opinion that the continuation of contract business by the contractor is going to lead to grave harm to the contract labours, the authority may pass a speaking order recording the reasons for revocation or suspension or otherwise and communicate the order to the contractor electronically or by speed post.

(3) A copy of the order shall also be endorsed to the Chief Labour Commissioner (Central) , concerned

Labour Enforcement Officer (Central) and concerned State Authorities.

(4) If the contractor has complied with the concerned provisions of the Code and rules made there under within the stipulated time period, the Licensing Authority shall revoke the suspension giving a speaking order or else the suspension may be continued.

(5) If the contractor fails to comply with the order in sub-rule (1), the authority may forthwith pass an order of revocation of license, recording the reasons thereof and communicate to the contractor electronically or by speed post and the copy of the order shall be endorsed electronically to Chief Labour Commissioner (Central), concerned Labour Enforcement Officer (Central) and the concerned State Authority.

96. Amendemnt of Licence.- (1) The contractor seeking amendment in licence shall apply electronically in **FORM-XXI** on Shram Suvidha Portal by giving details about the amendment and uploading documents related to license issued, proof of Identity and address of the employer as specified in the said Form.

(2) The Form shall be signed digitally or in any other manner as may be required on the portal.

(3) The applicant shall be responsible for veracity of all information submitted in the application.

(4) The fees to be paid for the amendment of Licence as specified in sub rule (4) of Rule 90.

(5) The amended licence shall be issued electronically immediately, if the application is complete in all respect but not later than seven days from the date of submission of complete application, failing which such licence shall be deemed to have been amended and the amended licence shall be auto generated.

(6) After issuance of amended licence, proportionate security deposit will be returned if number of contract labour decreases and an additional amount of security deposit, shall be deposited, if number of contract labour increases.

97. Appeal. – (1) The appellate authority under sub-section (1) of section 52 of the Code shall be notified by the Central Government, issued from time to time.

(2) The form and the fees for this purpose will be specified by general or special order by Central Government issued from time to time.

98. Responsibility of payment of wages.- (1) The contractor shall fix the wage periods in respect of which wages shall be payable and no wage period shall exceed one month.

(2) The wages of every person employed as contract labour in an establishment or by a contractor shall be paid before the expiry of seventh day after the last day of the wage period in respect of which the wages are payable.

(3) The principal employer shall settle the bills of contractor related to dues of contract worker within timeline as per the terms and conditions agreed between principal employer and contractor.

(4) The wages shall be disbursed through bank transfer or electronically.

Provided that where it is not practicable to disburse wages through bank transfer or electronically, the wages shall be disbursed in current coins or currency.

(5) The wages of contract labours shall be paid without any deductions of any kind, except those specified by the Central Government.

(6) A notice showing wage period and date and time of disbursement of wages of contract labour shall be displayed at the place of work and a copy sent by the contractor to the principal employer electronically.

(7) Every contractor shall send half-yearly return in **FORM-XVIII** electronically to the Deputy Chief Labour Commissioner (Central) concerned not later than thirty days from the close of the half year, that is to say January to June, July to December.

(8) In case contractor fails to make payment of wages to the contract labour within seven days of completion of wage period, then the principal employer shall take necessary action and make payment of wages in full or the unpaid balance dues, as the case may be, to the concerned contract labour employed by the contractor within fifteen days and recover the amount so paid from the contractor either by deduction from any amount payable to the contractor under any contract or as debt payable by the contractor or from the security deposit lying with the principal employer.

(9) Every principal employer of an establishment shall submit annual return in **FORM-XVII (Part-III)** electronically to the authority and concerned Deputy Chief Labour Commissioner (Central) so as to reach on or before last day of February following the end of each Calendar year electronically, except in cases of contract which undertakes to produce given result.

99. Making payment of wages from the security deposit amount.- (1) If the contractor or principal employer does not pay the wages to the contract labour employed by them, the concerned Chief Labour Commissioner (Central) shall conduct or cause to conduct, an inquiry and after giving an opportunity to be heard to the contractor shall pass an order to make payment if any, of such wages from the amount deposited by the contractor as security deposit.

(2) The contractor shall re-furnish the security deposit within a period of fifteen days or else license will be liable to be suspended.

100. Experience Certificate.- Every concerned contractor shall issue on demand, experience certificate in **FORM-XXIII** to the contract labour giving details of the period, work performed, experience gained in various fields performed by such contract labour.

101. Prohibition of employment of contract labour.- If a question arises as to whether any activity of an establishment is a core activity or otherwise, the aggrieved party may make an application to the Central Government, which may refer such application to the designated authority, notified by the

Central Government. The form of application, manner and time period shall be as per general or special order by the Central Government issued from time to time:

Provided that no adverse action will be taken during the pendency of proceedings so that the operation of the activity is not affected.

PART II
INTER-STATE MIGRANT WORKER

102. Journey allowance to inter-State migrant worker.- (1) The employer shall pay a lump sum amount on account of fare for to and fro journey to inter-state migrant worker by train not less than II Class sleeper or by bus or any other mode of passenger transport from the place of employment to the place of residence in the home-state in the event, if such worker has worked for a period of not less than one hundred and eighty days in the concerned establishments in preceding twelve months:

Provided that the journey allowance shall be given to an inter-state migrant worker once in twelve months.

(2) In the event of change of employer by the inter-State migrant worker during the middle of the employment period and such worker has not availed the journey allowance from their previous employer, then on the basis of a certificate to be given by inter-State migrant worker, the employer where the inter-State migrant worker is presently working and such worker has completed one hundred and eighty days in preceding twelve months including the period spent with the previous employer, then the present employer shall pay journey allowance.

103. Setting up of a Toll Free helpline number to the inter-state migrant worker.- A Toll-Free help-line number shall be provided through general or special order by Director General Labour Welfare Organisation of the Ministry of Labour and Employment, to address queries and safety of the inter-State migrant workers.

104. Study of inter-State migrant workers.- The Central Government may identify the studies to be carried out to promote safety, health and welfare of inter-State migrant workers as specified by general or special order by the Central Government issued from time to time. Wherever required the Central Government may also consult the State Government or expert organizations involved in the safety, health and welfare of inter-State migrant workers.

PART III
AUDIO- VISUAL WORKER

105. Agreement for audio-visual worker.- The agreement for the audio-visual worker with the producer shall be registered in **FORM-XXIV.**

106. Procedure for reference of disputes to a Conciliation Officer or a Tribunal.- The procedure for reference of dispute to a conciliation officer or a tribunal shall be as per the procedure prescribed in the Industrial Relations Code, 2020 (35 of 2020) and rules made thereunder.

PART IV
MINES

107. Qualification and appointment of manager in mines.- No mine shall be opened, re-opened or worked unless it has a duly appointed manager, who has the following qualifications specified in the Table below, namely:-

Type of mine	Average material handled or average output of the mine	Essential Qualification for the manager
(1)	**(2)**	**(3)**
Belowground coal mines	(a) Average output in excess of 2,500 tonnes	A First Class Manager's Certificate of Competency (Coal).
	(b)average output not exceeding 2,500 tonnes	A First Class Manager's Certificate (Coal) or Second Class Manager's Certificate of Competency (Coal).
Open cast Coal Mines:	(a) average material handled in excess of 20,000 cubic metre	A First Class Manager's Certificate of Competency (Coal) or a First Class Manager's Certificate of Competency restricted to mines having open cast workings only (Coal) .

	(b) average material handled not exceeding 20,000 cubic metre	A First Class Manager's Certificate of Competency (Coal) or a First Class Manager's Certificate of Competency restricted to mines having open cast workings only (Coal) or Second Class Manager's Certificate of Competency (Coal) or Second Class Manager's Certificate of Competency restricted to mines having opencast in coal.
Below ground metalliferous mines	(a) average output in excess of 1,250 tonnes	A First Class Manager's Certificate of competency (Metal).
	(b) average output not exceeding 1,250 tonnes	A First Class Manager's Certificate of Competency (Metal) or Second Class Manager's Certificate of Competency(Metal).
Opencast metalliferous mines	(a) average material handled in excess of 20,000 cubic meter	A First Class Manager's Certificate of Competency (Metal) or a First Class Manager's Certificate of Competency restricted to mines having open cast workings only (Metal).
	(b) average material handled not exceeding 20,000 cubic meter	A First Class Manager's Certificate of Competency (Metal) or a First Class Manager's Certificate of competency restricted to mines having open cast workings only (Metal) or Second Class Manager's Certificate of Competency (Metal) or Second Class Manager's Certificate of Competency restricted to mines having open cast workings only (Metal).
Mine having both open cast and underground workings	all coal and metal mines	First Class Manager's Certificate of Competency (Coal or Metal as the case may be)

Oil mines	all oil mines	A degree or diploma in engineering or post-graduation in physics or geophysics or geology or chemistry of an educational institution recognised by the Central or State Government and has experience in the management and supervision of operations in oil mines for a period of not less than fifteen years in case of diploma in engineering and ten years in other cases.

Explanation: "Average output" of any mine, means the average output per month during the preceding calendar year of the total output from all workings within the specified mine boundaries;

"Average material handled" of any mine, means the average material (mineral and overburden material) handled per month during the preceding calendar year of the total material handled from all workings within the specified mine boundaries.

108. Code not to apply in certain mines.- (1).- The provision of the Code, except those contained in sections 35,38, 40,41 and 44 shall not apply to –

(i) any mine or part thereof in which excavation is being made for prospecting purposes only and not for the purpose of obtaining minerals for use and sale:

Provided that –

(a) not more than twenty persons are employed on any one day in connection with any such excavation;

(b) the depth of the excavation measured from its highest to its lowest point nowhere exceeds six meters or, in the cases of an excavation in coal, fifteen meters; and

(c) no part of such excavation extends below superjacent ground;

(ii) any mine engaged in the extraction of kankar, murram, laterite, boulder, gravel, shingle, ordinary sand (excluding moulding sand, glasss and other mineral sands), ordinary clay (excluding kaolin, china clay, white clay or fire clay), building stone, slate, road metal, earth, fullers earth, marl, chalk and limestone:

Provided that-

(a) the working do not extend below superjacent ground; or

(b) where it is an opencast workings-

i. the depth of the excavation measured from its highest to its lowest point not anywhere exceeds six meters;

ii. the number of persons employed on any one day does not exceed fifty; and

iii. explosives are not used in connection with the excavation.

(2) As soon as an establishment becomes a mine, the employer of the mine shall give notice electronically, to the Inspector-cum-Facilitator within seven days from the date it becomes a mine.

(3) Notwithstanding anything contained in sub-rule (1) the Central Government may declare by an order in writing require that all provisions of the Code shall be applicable, in such mine or part thereof subject to such conditions as may specify therein.

109. Initial and periodical medical examinations in mines.- (1) The employer of every mine shall make arrangements for –

(i) initial medical examination of every person seeking employment in a mine;

(ii) periodical medical examination of person employed in a mine annually;

(iii) the medical examination shall be conducted as per **FORM-IX**.

(2) The periodical medical examination or the X- Ray examination or both, shall be conducted at frequent intervals, if the medical examining authority deems it necessary to confirm a suspected case of a dust related disease.

110. Examining authorities.- (1) The medical examination referred to in rule 109 shall be carried out by a qualified medical practitioner in the employment of the employer of the mine or duly assigned for this purpose by the employer of group of mines or by any Government Medical Officer.

(2) The examining authority shall be trained in occupational health course including the International Labour Organisation, Classification of Chest Radiograph duly recognised by the Central Government.

111. Notice of medical examination.- (1) In respect of initial medical examination, employer shall give at least seven days prior notice in writing to the person to be examined, in Form to be specified by the Chief Inspector-cum-Facilitator and a copy of every such notice issued shall be sent by employer to the examining authority.

(2) In respect of periodical medical examination the manager shall give at least twenty days prior notice in writing to the person to be examined, in Form to be sepcified by the Chief Inspector-cum-Facilitator.

(3) A copy of every such notice issued shall be sent by the employer to the examining authority along with previous medical certificates issued, pertaining to the persons concerned.

(4) A person, who for any reasonable cause, fails to appear for the medical examination in accordance with the notice issued to such person, shall be given a second notice of a minimum period of ten days in Form to be specified by the Chief Inspector-cum-Facilitator, by the manager and a copy

of every such notice shall be sent by the manager to the examining authority.

(5) The examining authority shall inform the manager whether the person concerned has appeared for medical examination or not within one week from the date fixed for medical examination in the second notice.

112. Failure to undergo medical examination.- (1) A person who without reasonable cause, fails to appear for medical bel

Provided that a person who renders themselves so liable to be discharged for failure to appear for medical examination shall be required to show cause why such person could not comply with the notice within the time specified therein.

(2) If explanation is found satisfactory by the management, such person shall be given another chance to appear for medical examination.

(3) Where the explanation is not found satisfactory their service shall be terminated by the management.

113. Standard and report of medical examination.- (1) The examining authority holding initial and periodical medical examination shall examine a person according to the standards laid down in **FORM –IX.**

(2) After examinations, copy of the medical certificate in **FORM –IX**, shall be issued by the examining authority to the person concerned electronically or by speed post and copy be sent to the employer of the mine concerned electronically.

(3) The examining authority shall retain the third copy of the medical certificate.

(4) In the case of periodical medical examination, the examining authority shall send the copy of previous medical certificates of the person concerned, back to the manager of the mine concerned.

114. Retention and transfer of medical certificates.- (1) All medical examination records with medical history and job details to depict the occupational dust exposure profile of persons employed or to be employed in a mine shall be retained in the possession of the manager of the mine so long as the person is employed in the mine and for a period of five years thereafter:

Provided that the manager of a mine where such person is or was employed shall, if so requested by the manager of any other mine where the person is to be employed, send all medical certificates with respect to such person.

(2) If the examining authority who conducts medical examination of persons employed or to be employed in any mine is relieved of their duties regarding medical examination, such examining authority shall transfer all records of medical examination in their possession to the manager of the mine concerned.

115. Identity of candidates.- The examining authority, shall record the Aadhaar number, after obtaining consent and signature of every candidate appearing before it for medical examination on the copies of the medical certificate.

116. Medical Examination of women.- (1) A woman employee shall be examined by female qualified medical practitioner.

(2) In case a female medical practitioner is not available, the woman employee shall be medically examined by a male qualified medical practitioner in the presence of another woman.

117. Appeal for re-examination.- (1) Where as a result of an initial medical examination or of periodical medical examination, a person has been declared unfit for employment in mines or in particular category of mines or in any specified operations in mine , such person may, within thirty days of the receipt of a copy of the certificate, file an appeal with the employer , against the declaration aforesaid and request for a medical re-examination by an appellate medical board.

(2)(i) the employer in case of initial medical examination and manager of the mine in case of periodical medical examination shall forward the appeal to the convener of the appellate medical board within fifteen days of the receipt of the appeal;

(ii) the convener of the appellate medical board shall give at least fifteen days prior notice to the owner, agent or manager and also the appellant, for re-examination;

(iii) a person, who for any reasonable cause, fails to appear for a medical re-examination shall be given another notice at least seven days in advance;

(3) In respect of every medical re-examination by the appellate medical board, the appellant shall pay such fees and the medical examination shall be conducted in such manner as may be determined by the appellate medical board.

(4) In case the appellate medical board finds such person fit for employment in mines, the fees shall be reimbursed in full to the appellant by the employer of the mine where such person is employed.

118. Constitution of appellate medical board.- For the purpose of medical re-examination on appeal, the appellate medical board shall be constituted by the Central Government in the following manner, namely;

(i) an Inspector-cum-Facilitator who shall act as the convener of the board for coordination purpose;

(ii) two qualified medical practitioners in allopathic system of medicine and in the employment of the State or Central Government as nominated by the Chief Inspector-cum-Facilitator:

Provided that, the convener can co-opt any specialist medical practitioner if the appellate medical board is of the opinion that such specialist is required to be consulted for specific issues.

119. Standard and report of medical re-examination by the appellate medical board.- (1) The appellate medical board shall medically examine the appellant in accordance with the standard laid down in the **FORM –IX** for initial and periodical medical examination.

(2) The certificate of medical re-examination in the **FORM –X**, shall be issued to the manager of the mine and to the appellant.

(3) A copy of the medical certificate shall be retained with the convenor.

120. Unfit persons not to be employed.- Where, as a result of an initial medical examination or periodical medical examination or after medical re-examination, a person has been declared unfit for employment in mines or in a particular category of mines or in any specified operations in mine, the person, shall not be employed or continue to be employed in mine or in the category of mines or on the operations specified, after the expiry of thirty days from the date of medical examination unless such person has filed an appeal against the declaration:

Provided that, if the qualified medical practitioner carrying out the initial medical examination, or the periodical medical examination or the appellate medical board carrying out the medical re-examination of persons already in employment is of the opinion that the disability of the person examined is of such a nature and degree that it will not seriously affect or interfere with the normal discharge of their duties, it may recommend their continuation in employment in the mine for a period not exceeding six months, during which such person may get their disability cured or controlled and appear for another medical examination after six months and be declared fit.

121. Cost of medical examination.-The cost of medical examination under these rules, shall be borne by the employer of the mine except in case the person is declared unfit for employment in mines after re-examination by appellate medical board.

122. Exemptions from hours and limitation of employment.- The following persons shall be exempted from the provisions of sub-section (1) of section 25, sub-section (1) of section 26, section 30 and sub-section (1) of section 31 in respect of the following, namely:-

(i) person holding position of supervision or management or like other position, employed in a confidential capacity;

(ii) manager, deputy manager, installation manager, fire officer, assistant manager, ventilation officer, safety officer, information technology, instrumentation and communication officials;

(iii) mining, electrical and mechanical engineer;

(iv) mining supervisor, assistant mining supervisor and supervisor in oil mines;

(v) mechanical and electrical foreman and electrical and mechanical supervisor;

(vi) surveyor and assistant surveyor;

(vii) qualified medical practitioner, dresser, compounder, chemist, assayer, metallurgist and welfare or personnel officer; and

(viii) any other person specified by Central Government through general or special order issued from time to time.

123. Establishment and location of rescue station.- (1) The Chief Inspector-cum-Facilitator may permit or require the employer of a below ground mine or a group of below ground mines to establish and maintain rescue stations with such designs and specifications and at such places as may be considered necessary in consultation with the employer:

Provided that where there are below ground mines belonging to more than one employer, the Chief Inspector-cum-Facilitator may permit or require two or more employers to jointly establish common rescue stations:

Provided further that all the existing rescue stations as on the date of coming into force of these rule, shall continue to function for a period of three years from that date.

(2) At every rescue station, there shall be a superintendent and at least two instructors and there shall be maintained a rescue brigade of not less than eighteen rescue trained persons.

(3) Where in absence of the superintendent at a rescue station exceeds sixty days, the employer shall appoint another superintendent.

(4) The employer shall, on the same day of assumption or relinquishment of charge by the superintendent, inform the Chief Inspector-cum-Facilitator and the Inspector-cum-Facilitator of the region where the mine is situated.

124. Functions of rescue station.- The functions of rescue station shall include-

(i) imparting initial training in rescue and recovery work;

(ii) imparting refresher training to rescue trained persons;

(iii) providing support by its own rescue teams and equipment in case of major accidents or long lasting rescue and recovery operations; and

(iv) carrying out the functions of rescue room in respect of those below ground mines where there is no rescue room.

125. Establishment and location of rescue room.- (1) At every below ground mine where, more than 100 persons are ordinarily employed below ground and there is no rescue station within a radius of 35 kms, the employer, shall establish a rescue room on surface close to mine entrance:

Provided that it may be sufficient to provide one rescue room for a number of mines belonging to the same employer where-

(a) the total number of persons ordinarily employed in below ground workings of all such mines does not exceed 5000; and

(b) the mines are situated within radius of 35 kms from and connected by road with the rescue room :

Provided further that the Chief Inspector-cum-Facilitator may permit the employer of a group of mines having the total number of persons ordinarily employed below ground in excess of 5000 to use the rescue room as a rescue station excepting the functions of imparting initial training in rescue work, if such rescue room is .-

(i) equipped with requisite additional rescue apparatus including at least 15 extra sets of two hour self- contained breathing apparatus; and

(ii) placed under the charge of a person holding the qualifications, experience and like other requirements of instructors and minimum of five rescue trained persons of whom at least one shall hold the qualifications, experience and like other requirements of rescue room in-charge are posted thereat.

(2) At each rescue room, there shall be appointed such number of rescue trained persons as may be necessary and one of them possessing the qualifications, experience etc. of rescue room in-charge who shall be made in-charge of the rescue room.

(3) At least one rescue trained person shall always be in attendance at the rescue room.

126. Functions of rescue room.- A rescue room shall provide facilities for the storage, assembly and testing of breathing apparatus and other rescue equipment and apparatus and for their speedy transport to mines.

127. Qualifications, experience etc. of superintendent.- No person shall be appointed as superintendent unless such person-

(i) is a rescue trained person;

(ii) has 5 years practical experience of below ground work in mines; and

(iii) holds a First Class Manager's Certificate of a type not restricted to open cast workings.

128. Qualifications, experience etc. of instructor.- No person shall be appointed as instructor unless such person-

(i) is a rescue trained person;

(ii) has 3 years practical experience of below ground work in mines; and

(iii) holds a Manager's certificate of a type not restricted to open cast workings.

129. Selection of rescue trained persons for posting at rescue station.- (1) The rescue trained persons for posting at a rescue station shall be selected, amongst the rescue trained persons employed in mines served by such rescue station, by the superintendent in consultation with the managers of such mine.

(2) A person selected under sub-rule(1) shall be posted for not less than one year and not more than five years at a rescue station at any one time.

130. Qualifications, experience etc. of rescue room in-charge.- No person shall be appointed as rescue room in-charge unless such person-

(i) is a rescue trained person;

(ii) has three years practical experience of below ground work in mines ; and

(iii) holds a Manager's or Mining Supervisor's Certificate of a type not restricted to open cast workings.

131. Equipment.-(1) At every rescue station and rescue room, there shall be provided and maintained for immediate use, apparatus and equipment as may be specified by the Chief Inspector-cum-Facilitator through general or special order.

(2) A below ground mine, where no rescue room is located, there shall be apparatus and equipment as may be specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time and shall be maintained at the entrance of such mine.

(3) Self- contained breathing apparatus shall be provided at a rescue station and that at rescue rooms under it shall be of the same type and make.

(4) The following apparatus and equipments provided under of sub-rules (1),(2) and (3), shall be of a type or standard approved by the Chief Inspector-cum-Facilitator, namely:-

(a) breathing apparatus;

(b) smoke helmets, tube apparatus and apparatus serving the same purpose;

(c) reviving apparatus;

(d) electric safety lamps and flame safety lamps;

(e) gas detector; and

(f) self-rescuers.

(5) All breathing apparatus and every flow meter shall be adjusted and tested and the purity of oxygen for use in breathing apparatus shall be tested in such manners as may be specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time.

(6) In event of an accident in a below ground mine arising out of the use of any rescue apparatus, a written report thereof shall be sent, within 24 hours of such accident, by the manager of the mine to the Chief Inspector-cum-Facilitator and Inspector-cum-Facilitator in the form, as may be specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time.

(7) In case of an accident in a rescue station or rescue room arising out of the use of any rescue apparatus

a written report thereof shall be sent electronically, within 24 hours of such accident, by the Superintendent to the Chief Inspector-cum-Facilitator and Inspector-cum-Facilitator in the form, as may be specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time.

(8) No absorbent charges, chemicals, self-rescuer and gas detector tubes shall be kept at any rescue station, rescue room or below ground mine for use beyond the expiry date, which shall be legibly marked on the boxes thereof.

132. Duties and responsibilities of Superintendent.- (1) The Superintendent shall be overall in charge for control of the rescue station and the rescue rooms served by such rescue station.

(2) The Superintendent shall ensure that all the rescue equipment and apparatus kept at the rescue station, rescue rooms and at the entrance of the below ground mine under their control are-

(i) maintained in proper working order;

(ii) inspected by instructors at specified intervals; and

(iii) tested and adjustments are made accordingly.

(3) The superintendent shall ensure that adequate stock of spare parts and supplies are kept for maintaining rescue equipment and apparatus in proper working order.

(4) The superintendent shall countersign the records maintained.

(5) The superintendent shall ensure that persons selected for initial training and those undergoing refresher training receive the course of instructions and practices as may be approved by the Chief Inspector-cum-Facilitator and are issued the certificates for the same.

(6) The superintendent shall make periodical inspection of rescue rooms and the apparatus and equipment under their control.

(7) When an emergency at a below ground mine, superintendent shall perform such rescue and recovery work as may be assigned by the manager or in absence of manager, by the principal official present at the surface.

(8) The superintendent shall send a daily report and a complete report within twenty-four hours after completion of the rescue or recovery work to the Inspector-cum-Facilitator or the Chief Inspector-cum-Facilitator.

(9) The superintendent shall maintain in a bound paged book or in retrievable and non-editable electronic form and shall record therein the results of each of their inspections and the action taken by them to rectify the defects observed during inspection.

133. Duties of instructor.- (1) Under the direction of the superintendent, the instructor shall-

(i) impart course of instructions and practices to persons selected for training in rescue and recovery work as well as to rescue trained persons and maintain a record thereof; and

(ii) make inspection, test and adjustment of rescue equipment and apparatus and maintain a record thereof.

(2) When an emergency at a below ground mine, instructor shall perform such rescue and recovery work as may be assigned by the manager or in absence of the manager, by the principal official present at the surface.

(3) The instructor shall not leave the rescue station without prior permission of the superintendent.

(4) In the absence of the superintendent, the instructor shall be in-charge of the rescue station.

134. Duties and responsibilities of rescue room in-charge.- Every rescue room in-charge shall-

(i) display prominently a list of mines served by their rescue room;

(ii) maintain the equipment and apparatus kept at the rescue room in proper working order;

(iii) maintain a proper record of all rescue equipment and apparatus kept at the rescue room and inspection thereof; and

(iv) not allow any unauthorised person to enter into or permit any unauthorised person to take out any apparatus or equipment from the rescue room.

135. Duties of rescue trained persons posted at rescue station.- The rescue trained person shall-

(i) obey order of the superintendent and instructor and assist them in discharge of their functions;

(ii) attend to messages, telephone calls and wireless and maintain record thereof;

(iii) maintain the rescue station in neat and tidy condition;

(iv) maintain the equipment and apparatus kept at the rescue station in proper working order;

(v) perform rescue and recovery work in mine; and

(vi) not leave rescue station without obtaining permission from the superintendent.

136. Duties of rescue room attendant .- Every rescue room attendant shall-

(i) not leave the rescue room until relieved by a substitute;

(ii) not allow any unauthorised person to enter in or to take out any apparatus or equipment from the rescue room;

(iii) attend to telephone calls and maintain a record thereof;

(iv) maintain the rescue room in neat and tidy condition; and

(v) obey orders of the rescue room in charge and assist in discharging the functions of rescue room in-charge.

137. Telephone communication.- Every mine shall be connected preferably through wireless communication or telephonically with the rescue room and rescue station serving such mine:

Provided that where there is no communication system, the Chief Inspector-cum-Facilitator may by an order in writing and subject to such conditions as may specify therein, approve other means of communication.

138. Rescue tracings.- (1) There shall be kept at a below ground mine, more than three legible tracings of the working of the mine upto a date not before three preceding months.

(2) The tracing shall show the system of ventilation in the mine and in particular, the general direction of air-current, every point where the quantity of air is measured, every air-crossing, ventilation-door, stopping, booster fan and any other principal device for regulation and distribution of air, fire-dams, preparatory stoppings, every fire-fighting equipment, every water-dam with dimensions and other particulars of construction, every pumping, telephone and ambulance station, every room used for storing inflammable material, reserve stations and every haulage and travelling roadway.

139. Appointment of rescue trained persons in mines, their disposition and accommodation. (1) The manager of a below ground mine, where more than 100 persons are ordinarily employed, shall ensure that at least 5 rescue trained persons are readily available at surface at any time.

(2) The manager of a below ground mine, where more than 500 persons are ordinarily employed, shall ensure that persons on a scale of one man for every 100 persons or part thereof are rescue trained persons.

(3) It shall be the responsibility of the employer to provide suitable accommodation-

(i) close to the rescue station to the superintendent, instructors and members of rescue brigade;

(ii) close to rescue room to rescue room in-charge rescue trained persons and attendants attached to it; and

(iii) close to below ground mine entrance to rescue trained persons other than those specified in clauses (i) and (ii).

(4) There shall be provided at a below ground mine effective bell or other arrangements, as may be approved by the Inspector-cum-Facilitator for immediate summoning of rescue trained persons.

140. Selection of persons for training in rescue work.- No person shall be selected for training in rescue work, unless such person-

(i) is between 21 and 40 years of age and holds a valid First-aid certificate from the institutes recognised by the Central or State Government ;

(ii) is certified by the manager that such person has sufficient underground experience for the purpose of rescue work;

(iii) is certified by a qualified medical practitioner, as may be designated by the manager after examination in accordance with the standard as may be specified by the Chief Inspector-cum-Facilitator through general or special order, to be free from any organic disease or weakness and to be fit for undertaking rescue work; and

(iv) is considered by the Superintendent of rescue station, after such examination and interview as Superintendent considers necessary, to be suitable for rescue work with breathing apparatus.

141. Instructions and practices etc.- (1) Every person selected for training in rescue work shall undergo the course of instructions and practices as may be specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time, until such person has passed and has been certified as efficient by the Superintendent .

(2) Rescue trained person shall undergo practices and receive instructions as may be specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time.

(3) A record shall be kept at every rescue station of all persons undergoing practices and receiving instructions and such record shall contain-

(i) the date and the character of each practice;

(ii) the medical condition of each person after the practice and if anything abnormal was observed in their condition, whether it was due to a defect of the apparatus or due to that person ; and

(iii) any other relevant information.

142. Medical examination etc. of rescue trained person.- Every rescue trained person shall be re-examined once at least in every twelve months by a qualified medical practitioner as may be designated by the manager in accordance with the standard as specified in **FORM IX** and in case such person is declared medically unfit, such person shall cease to be a rescue trained person with effect from the date such person has been so declared.

143. Suspension of rescue trained persons.-If in the opinion of the employer or an Inspector-cum-Facilitator, a rescue trained person is guilty of negligence or misconduct in the performance of their duties, may after giving such person an opportunity to provide a written explanation, suspend or debar such person from undertaking any rescue and recovery work.

144. Duties of manager etc. in emergency.- (1) On receiving information of any emergency likely to require the services of a rescue team, the manager or in absence of manager, the principal official present at the surface, shall immediately-

(i) inform the rescue room or the rescue stations serving the mine for necessary assistance;

(ii) summon rescue trained person employed in the mine;

(iii)inform the owner, agent or manager of nearby mines to make available the services of rescue

trained persons employed therein if so required;

(iv) inform the rescue station about the nature of the occurrence; stating whether assistance would be needed from the rescue station;

(v) summon medical assistance; and

(vi) send information of the occurrence to the Inspector-cum-Facilitator.

(2) All rescue and recovery work at a below ground mine shall be conducted under the control, direction and supervision of the manager of the mine or in absence of the manager, the principal official present at the surface:

Provided that in the event of a major emergency, such as ignition, explosion, underground fire or an accident involving a number of persons, the manager or the principal official shall, in taking decisions regarding rescue and recovery operations, take guidance from a group consisting of a senior official of the management , a representative each from the Director General of Mines Safety, concerned rescue station and the recognised Union of the Workers, so however manager or the principal official must take necessary decisions and direct the operations as the situation warrants, without waiting for the constitution or deliberations of the said group.

145. Accommodation at the below ground mine for persons engaged in rescue work.- (1) Whenever rescue trained persons are engaged in rescue or recovery work at a below ground mine, there shall be provided at such mine suitable accommodation for storage and charging of apparatus required for that work.

(2) Such accommodation shall be situated at a convenient place near the entrance in use and shall be properly ventilated and lighted.

(3) Adequate quantity of cool and wholesome drinking water and food shall be provided for the rescue workers.

146. Entry into below ground mines for rescue or recovery work.- (1) No person shall be allowed to enter a below ground mine or part thereof which is unsafe for the purpose of engaging in rescue or recovery work, unless authorised by the manager or by the principal official of the mine present at the surface.

(2) Only rescue trained persons shall be permitted to enter the mine for the purpose of using self-contained breathing apparatus.

(3) During the course of rescue or recovery work, person shall be stationed at the entrance to the below ground mine and shall keep a written record of all persons entering and leaving such mine and the time thereof.

147. Fresh air bases.- (1) The base shall be established in fresh air, as near to the irrespirable zone or zones based on safety consideration, every such base shall, if possible be connected by telephone,-

(i) if the base is below ground to the surface ; or

(ii) if the base is on the surface, to the shaft bottom.

(2) Except in cases where the delay involved may result in danger to life, rescue trained persons shall not proceed beyond any place where a base is to be established until there have been provided at such base,-

(i) two persons, of whom one shall be a qualified medical practitioner if practicable and other shall be a rescue trained person;

(ii) a spare team with rescue apparatus, ready for immediate service;

(iii) one or more reviving apparatus, oxygen revivers and like other apparatus,

(iv) first aid box and stretcher;

(v) apparatus for testing of carbon monoxide;

(vi) a hygrometer; and

(vii) two flame safety lamps.

(3) Whenever persons already at work beyond the fresh air base, there shall be provided at the base as soon as possible the persons, apparatus and equipment as specified in sub-rule (2).

148. Leader.- Every rescue team engaged in work with breathing apparatus in a mine shall be under a leader who shall be appointed by the superintendent.

149. Instructions to leader.- Prior to sending a rescue team underground, the superintendent or a person authorised shall give clear instructions to the leader of the team as to where it shall go and what it shall attempt.

150. Test of apparatus.- (1) Before proceeding below ground the leader shall test or witness the testing of self-contained breathing apparatus of the team for leakage.

(2) No such apparatus shall be used unless it is found safe.

(3) The leader shall check the equipment of team and immediately before entering irrespirable atmosphere shall make sure that all breathing apparatus are working properly.

151. Duties of leader below ground.- (1) The leader

(i) shall not be engage in manual work.

(ii) shall give attention solely to directing the team and to maintaining its safety.

(iii) shall examine the roof and supports during the journey and if there is any likelihood of fall at any place along the roadway, then, the leader shall not proceed further until the team has made the place secure.

(2) The leader shall keep the team together and shall not allow any member of the team to stray.

(3) If the atmosphere is clear, the leader shall, when passing the junction of two or more roadways, clearly indicate the route by means of arrow marks in chalk.

(4) If the atmosphere is obscure, the leader shall see that a lifeline is laid in from the fresh air base and shall not allow any member of the team to move out of reach of that lifeline or if that course is impracticable, the leader shall not proceed until every roadway branching of from the route is fenced across the whole opening.

(5) When using rescue apparatus, the leader shall carry a watch, shall record the pressure of the compressed oxygen at every intervals of twenty minutes and shall commence the return journey in ample time.

(6) During travelling the leader shall adopt the pace of slowest member and if any member of the team is in distress, shall immediately return to the fresh air base with the whole team.

(7) The leader shall not permit any member of the team using breathing apparatus in a mine to remain at work at any one time for a period longer than one and half hours or such other period as may be specified by the Chief Inspector-cum-Facilitator in respect of the breathing apparatus being used.

152. Rescue team members and their duties.-(1) The number of persons in any rescue team using breathing apparatus in a mine shall not be less than five and not more than six, including the leader.

(2) In event there is no provision in any of the breathing apparatus carried by the rescue team for extension for supply of oxygen to another person in an emergency the team shall carry a self-rescuer.

(3) Members of rescue team shall in general, use the signals as may be specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time, in communicating to one another.

(4) In travelling with rescue apparatus on, every member of the team shall keep the place given to them when numbering off and the pace is too quick or if distress is felt, the member shall at once call attention to the fact.

(5) Every member of a rescue team engaged in work with breathing apparatus in mine shall obey the order of the leader of the team.

153. Restriction of second spell of works.- No person shall commence a second or subsequent spell of work in irrespirable atmosphere without being examined and found fit by a qualified medical practitioner.

154. Obligation of employer in certain situations.- Whenever emergency arises at a below ground mine, whether served by a rescue room or rescue station or not, the employer may seek assistance from the nearest rescue room or rescue station and in such an event-

(i) all possible assistance shall be promptly rendered by the rescue room or rescue station; and

(ii) the employer of the mine shall pay to the owner of the rescue station or rescue room, rendering such assistance, the full cost of rescue services and facilities borrowed.

155. General management.- The employer shall establish, maintain and ensure proper functioning of rescue room or rescue station as required under these rules, to appoint such persons, and to provide necessary rescue equipment and apparatus.

156. Power to relax.- The Chief Inspector-cum-Facilitator based on the recommendation of the committee constituted by Chief Inspector-cum-Facilitator may relax the conditions pertaining to a mine or rescue station or rescue room in these rules, the Chief Inspector-cum-Facilitator may by an order in writing and subject to such conditions as may be specified therein to grant relaxation from the said provisions.

157. Training Scheme.- (1) The employer of every mine shall ensure that a training scheme, based on the guidelines on the scheme of training, wherever no authority, specified by the Chief Inspector-cum-Facilitator for persons employed or to be employed in the mine:

Provided that the agent of the mine may submit the training scheme approved by the employer in writing.

(2) The Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator may by an order in writing, require such modification in the training scheme as may be specified therein.

(3) The scheme referred to in sub-rule (1) shall include, but not limited to, the following provisions, namely:-

(i) initial training for the persons to be employed in the mines;

(ii) refresher training for the persons already employed;

(iii) training in case of introduction of new technology, equipment or change in work procedure;

(iv) assessing current competencies of a person employed in the mine and prior learning, in establishing the training needs;

(v) assessing the training needs of persons working in mines for the safe performance of the mining operations;

(vi) appointing persons who are competent to give training and assess workers' competencies;

(vii) keeping and auditing records of assessment undertaken and training imparted;

(viii) the relevant standards, modules or any other guidelines issued in this behalf by the Chief Inspector-cum-Facilitator; and

(ix) course material on various topics for different categories of persons for delivering lectures in vocational training centre.

158. Scope and standard for vocational training.-The owner or agent of every mine shall ensure that every person to be employed in a mine shall, before such person is employed, be imparted training as per the training scheme under these rule for such employment:

Provided that in case of a person who is already in employment in other mine, the owner shall ensure that such person is imparted training covering such additional course of training as specified under these rules.

159. Scope and standard for Refresher Training.- Every person in employment in a mine shall undergo the refresher training at least once in four years, as per training scheme:

Provided that the Chief Inspector-cum-Facilitator may by order in writing and subject to such conditions as may be specified therein increase or decrease the interval of Refresher training at a mine.

160. Arrangement for refresher training.-The refresher training shall be so arranged that the persons shall undergo training during normal working hours on full day release system:

Provided that the Chief Inspector-cum-Facilitator may by general or special order in writing subject to conditions as may be specified may exempt any mine from the provisions the of this rule.

161. Special training.- (1) In case new technology, equipment and system of work is introduced in the mine, the employer shall prepare and submit the training module, at least sixty days before such introduction, to the Chief Inspector-cum-Facilitator , who may at any time, by an order in writing, require such modification in the training module as may be specified therein.

(2) Persons to be employed in aforesaid technology, equipment and system of work shall undergo training as per the training scheme specified under these rules, based on the training module.

162. Training of persons after long absence or after an accident or change of job.- Wherever a person returns to employment in a mine, after an absence from work for a period exceeding one year or returns to work after being involved in a serious accident or in a dangerous occurrence which could have resulted in threat to life and safety or is re-employed on a job which is different from what such person had been performing earlier shall undergo training before employment as per the training scheme specified under these rules.

163. Training Centre.—(1) The employer of every mine shall provide and maintain a training centre which shall be adequate for the purpose of imparting the training required to be undergone by the persons who are employed or to be employed in the mine:

Provided that the Chief Inspector-cum-Facilitator may, by an order and for the reasons to be recorded in writing and subject to such conditions as may be specified therein, authorise that a common training centre may be provided and maintained in respect of two or more mines belonging to the same employer.

(2)The Chief Inspector-cum-Facilitator may permit in writing, subject to such conditions as may specify therein, a common training centre owned and maintained by a group of employers for imparting training in more than one mine:

Provided that where a common training centre is established and maintained by a group of employers of those mines shall nominate one among them to assume the responsibility of employers of the common training centre for management, supervision, direction and control there at and the nominated owner shall submit notice in writing to the Chief Inspector-cum-Facilitator and the Inspector-cum-Facilitator.

(3) Notwithstanding anything contained in sub-rule (1) and sub-rule (2), the Chief Inspector-cum-Facilitator may approve in writing, subject to such conditions as may be specified therein, a training centre established under any other law for the time being in force subject to having such infrastructure and facilities as specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time, for imparting training under these rules.

(4) Every application for approval under sub rule (3) shall be made in a proforma and accompanied by a fee prescribed by the Chief Inspector-cum-Facilitator, based on recommendation of the committee constituted by the Chief Inspector-cum-Facilitator through general or special order issued from time to time.

164. Arrangements for the training centre.—Every training centre shall have such staff, equipment and other facilities as specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time.

165. Training Officer.— (1) Every training centre shall be placed under the charge of a training officer, possessing qualification and experience, as specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time.

(2) It shall be the responsibility of the owner or agent of the mine or the owner of common vocational training centre, as the case may be, to appoint the training officer specified under sub-rule(1):

Provided that in case of a training Centre, the person responsible for the management, control, supervision or direction of the training centre (hereinafter referred to as owner of approved training

centre), shall appoint the training officer.

(3)Notwithstanding anything contained in sub-rule (1), where the training officer is unable to perform duties by reason of temporary absence, illness or other cause, the owner, agent or manager, as the case may be, shall authorise in writing any other person having similar qualifications to act in their place:

Provided that no such authorisation shall have effect for a period exceeding thirty days, except with the previous consent in writing of the Chief Inspector-cum-Facilitator and subject to such conditions as may be specified therein.

(4) Every appointment, discharge, dismissal, resignation or termination of service of a Training officer and of the date thereof shall be sent by the owner or agent to the Chief Inspector-cum-Facilitator and the Inspector-cum-Facilitator within seven days from the date of such appointment, authorisation, discharge, dismissal, resignation or termination of service as the case may be.

166. Duties of Training Officer.—(1) It shall be the duty of the training officer-

(i) to organise and supervise the training of every person undergoing training in pursuance of these rules;

(ii) to recognise current competency and prior learning in establishing for the training needs;

(iii) to ensure training as per the modules or curriculum prepared under the concerned training scheme framed under these rules for different categories of persons and ensure that the instructors deliver lectures on standard course material;

(iv) to maintain records of the training given to every person and to furnish monthly reports to the mine manager on the progress of the persons undergoing training;

(v) to maintain records of the supervision in respect of the practical training on actual operations; and

(vi) to discharge such other duties as may be necessary for the proper compliance of these rules.

(2) Every training officer shall keep a record of work and shall, at the end of every year, forward to the Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator having jurisdiction over the training centre, through the employer or the owner of a common training centre as the case may be, a summary of the report of work during the year.

167. Instructors. — The employer of mine or owner of the approved training centre shall appoint sufficient number of instructors having qualification and experience to impart training in vocational training centre:

Provided that, in special circumstances, officials may be called for from the mines, to deliver lectures and for demonstrations at the training centre.

168. Trainers.—For the purpose of the practical training referred to in these rules, every person to be employed in a mine shall be placed under the direct supervision of an experienced person of an appropriate category, employed on operations and authorised by manager hereinafter referred to as trainer.

169. Qualification of instructors and trainers.- No person shall function as an instructor or trainer unless such person possesses qualification, training and experience as specified by the Chief Inspector-cum-Facilitator, based on recommendation of the committee constituted by the Chief Inspector-cum-Facilitator, through general or special order issued from time to time

170. Duties of Instructor.— The instructor shall:-

(a) assess employees competency and deliver lectures on standard course material; and
(b) maintain records of training given to every person and to furnish weekly report to the training officer on the progress of the persons undergoing training.

171. Duties of trainer and persons undergoing training.- (1) The trainers shall be responsible for the safety of the persons undergoing training .

(2) The trainer shall monitor that the persons under their charge for training, pick up work, understand the dangers inherent in the job and develop habits, which would ensure safety in mines.

(3) The trainer shall monitor that the persons undergoing training move within the mine along with them.

(4) Every trainer shall monitor that the persons undergoing training under them, is aware of escape route from the sections where they are likely to work and other emergency response applicable to the trainee.

(5) Every person undergoing training shall, whilst under training, comply with the directions of the trainer under whom they are put in charge.

172. Training allowance.- (1) Every trainer shall, in addition to their normal wages, be paid by the owner, agent or manager of a mine, a training allowance for everyday a trainee has worked under their supervision as prescribed by the Chief Inspector-cum-Facilitator on recommendation of the committee constituted by the Chief Inspector-cum-Facilitator, through general or special order, issued from time to time .

(2) Every Instructor, other than the instructor under regular appointment at the training centre shall, in addition to their normal wages, be paid by the owner, agent or manager a training allowance for every day such trainer has imparted training in Vocational Training Centre, as specified by the Chief Inspector-cum-Facilitator on recommendation of the committee constituted by the Chief Inspector-cum-Facilitator, through general or special order, issued from time to time.

173. Certificate of training.-(1) Every person who undergoes a course of training specified in these rules shall, on completion of the training be assessed and subject to acceptable performance of the trainee, shall be granted a certificate duly signed by the training officer, in a Form to be specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time .

(2) Where the training officer is not satisfied with the progress or performance of any trainee, such person shall report the same to the manager of the mine, who may arrange to give them, further training.

(3) The manager of every mine shall counter sign and specify date on the certificate after being satisfied of the successful completion of training.

174. Certificate to be delivered to the management.- (1) Every person employed in a mine shall:-

(a) if has obtained training certificates prior to such employment; and

(b) obtained certificates during the course of employment, within such time as may be specified by the manager of the mine;

(c) deliver the certificate issued to them under these rules;

(2) the manager of the mine who shall keep the certificate in safe custody and issue a receipt for the same.

(3) On the termination of employment, certificate deposited under sub-rule (1) shall be returned to the employee.

175. Inspection of vocational training centre.-The Chief Inspector-cum-Facilitator or Inspector-cum-Facilitator may enter, inspect and examine any training centre or any part thereof and make such examination or inquiry as thinks fit in order to ascertain whether the provisions of these rules and of any orders made thereunder are being complied with.

176. Notice of closure or discontinuance of vocational training centre.- When it is intended to close a training centre established under these rules or to discontinue the working thereof for a period exceeding sixty days, the employer of a mine or the owner of a common vocational training centre as the case may be, shall give a notice in the manner and form as may be specified by the Chief Inspector-cum-Facilitator through general or special order issued from time to time stating the reasons for such closure or discontinuance, not less than thirty days prior to such closure or discontinuance:

Provided that the employerof the mines shall give notice forthwith when on account of unforeseen circumstances a training centre is closed or discontinued before the said notice has been given or without previous intention the discontinuance extends a period of sixty days.

CHAPTER XII
OFFENCES AND PENALTY

177. Manner of holding enquiry.- (1) When a complaint is filed before the officer appointed under sub-section (1) of section 111 in respect of the offences referred to in said sub-section, by an Inspector-cum-Facilitator, the officer after considering such evidences as produced by the Inspector-cum-Facilitator, is satisfied that an offence has been committed, shall issue summons to the accused on the address specified in the complaint and fix a date for appearance.

(2) The authorisation to appear on behalf of either of the parties, shall be presented to the officer under sub-rule (1) during the hearing of the complaint and shall form part of the record.

(3) If the accused to whom the summons has been issued under sub-rule (1) appears or is produced before the officer, he shall explain the accused regarding the offence against which the enquiry has been initiated, and

(a) If the accused pleads guilty, the officer shall impose penalty on him in accordance with the provisions of the Code and

(b) If the accused does not plead guilty, the officer shall proceed with the enquiry, issue summons to any person acquainted with facts and circumstances of the case, and appoint a specified date for next hearing.

(4) On such appointed date, the officer shall record all evidences produced by the accused and the Inspector-cum-Facilitator, whether documentary or by the witnesses on oath and provide opportunity of cross examination of the witnesses so produced.

(5) The officer shall after hearing the parties and considering the evidence so produced whether oral and documentary, shall decide the complaint in accordance with the provisions of the Code.

(6) The officer shall, while passing an order, record -

(a) the particulars of the complaint;
(b) the details of the parties;
(c) the nature of the offence with reference to relevant provisions of the Code;
(d) the pleadings of the parties;
(e) summary of evidence including cross-examination;
(f) findings and reasons; and
(g) penalty imposed, if any.

(7) In case, the accused or his representative fails to appear without any sufficient cause on two consecutive dates, the officer may proceed to hear and determine the complaint ex-parte:

Provided, in case where Inspector-cum-Facilitator fails to appear or through his representative without any sufficient cause, on the specified date, the officer may dismiss the complaint.

(8) Officer may allow for adjournment of the proceedings on receipt of application either from the Inspector-cum-Facilitator or the accused:

Provided that not more than three adjournments shall be allowed:

Provided further that the officer may at his discretion permit hearing the parties or any of the party, as the case may be, through video conferencing.

(9) The officer shall endorse or cause to be endorsed on each document, the date of its presentation or receipt, as the case may be, and if the documents are submitted electronically, endorsement shall be made electronically.

(10) The parties to the issue or their authorised representative under sub-rule (2) shall be entitled to inspect any complaint or any other document filed with the officer.

(11) The officer may refuse to entertain a complaint, if he is satisfied that the complaint is incomplete and may request the Inspector-cum-Facilitator to rectify such defects within the time specified by him for such purpose:

Provided that if the officer is of the opinion that it is not possible to rectify such defects in the complaint, he may return such complaint indicating the defects.

(12) Where the complaint is presented after rectification of the defects, the date of such re-presentation shall be deemed to be the date of presentation for the purpose of sub-section (1) of section 111 of the code.

(13) The officer may, after giving the Inspector-cum-Facilitator an opportunity of being heard, refuse to entertain a complaint, if he is satisfied for reasons to be recorded in writing, that-

(a) the complainant has filed the complaint beyond six months from the date on which the offence complained is committed;

(b) the complainant fails to comply with the directions given by the officer.

(14) (i) Any person aggrieved by an order made by the officer may prefer an appeal, in manner, form and with applicable fee as prescribed by Central Government through general or special order, to the appellate authority to be appointed under sub-section (3) of section 111, within sixty days from the date on which the copy of the order referred under sub-rule (6) made by the officer is received by the aggrieved person.

(ii) The appellate authority appointed under sub-section (3) of section 111, after giving the parties to the appeal an opportunity of being heard, pass such order as he thinks fit, confirming, modifying or setting aside the order appealed against, within a period of sixty days from the date of receipt of appeal.

178. Onus as to age.- The medical authority referred to in sub-section (2) of section 117 shall be a medical practitioner as referred, who possesses any recognised medical qualification as defined in the National Medical Commission Act, 2019 (30 of 2019) and enrolled on a State Medical Register as defined in the National Medical Commission Act, 2019.

179. Procedure of inquiry and other related matters.- (1) Wherein any workplace an accident causing death or serious bodily injury takes place or there is an occurrence of any dangerous occurrence or cases of any occupational disease as specified in the Third Schedule to the Code has been reported or is suspected to have been contracted, the Central Government, as the case may be, appoint one or more persons possessing legal and special knowledge to act as assessors or competent persons in such inquiry in order to inquire into the causes of the accident or occupational disease.

(2) The competent person appointed under sub-rule (1) shall carry out the inquiry into the causes of the accident or dangerous occurrence along with identification of the hazardous condition for which competent person has reasonable evidence to conclude and to be recorded in writing in the inquiry report, has caused the accident or the dangerous occurrence and also identify the persons which the competent person believes, based on findings, to be responsible for such accident or occurrence, as the case may be.

(3) The inquiry report shall contain conclusive findings of the inquiry along with the recommendations for prevention of such accidents or dangerous occurrences of occupational diseases containing suggestions for implementation to prevent re-occurrence.

(4) In event of dock work, any competent person appointed by the Central Government for the purposes of inquiring into the causes of any accident, dangerous occurrence or occupational diseases connected with the dock work under the provision of section 121 of the Code shall make the inquiry in the following manner, namely-

(i) date, time and place of holding the inquiry shall be fixed and may be varied, notice of which shall be given not less than thirty days in writing of such date, time and place to every person entitled to appear at the inquiry whose name and address are known to the competent person:

Provided that,—

(a) with the consent of such persons, the competent person may give such lesser period of notice as shall be agreed to with those persons; and

(b) where it becomes necessary or advisable to vary the time or place fixed for the inquiry, the competent person shall give such notice of the variation as may appear to it to be reasonable in the circumstances;

(ii) the notice given under clause (i) shall state the name of the competent person and the names of assessors, if any, appointed to assist the competent person in the inquiry;

(iii) without prejudice to the foregoing provisions of this sub-rule, the competent person shall also for the purpose of notifying to the persons who may in any way be concerned with the subject-matter of the inquiry, take one or more of the following steps, namely:-

(a) publish notice of the inquiry in one or more newspapers, including where appropriate, newspapers circulating in the locality or area in which the subject-matter of the inquiry arose; and

(b) give such other notice of the inquiry as appears to the competent person to be appropriate; and the requirements as to the period of notice contained in clause (a) of this rule shall not apply to any such notices.

180. Persons to appear at inquiry.- (1) The person entitled to appear at the inquiry shall be—

(a) any enforcement authority concerned;

(b) any employers association or Trade Union of employees;

(c) any person who was injured or suffered damage as a result of the accident, occurrence, situation, disease or other matter which is the subject of the inquiry, or their representative;

(d) the employer of any premises in which the accident, occurrence, situation or other matter occurred or arose;

(e) any person carrying on work giving rise to the accident, occurrence, situation or other matter which is the subject of the inquiry; and

(f) any other person at the discretion of the appointed competent person making inquiry.

(2) The following shall represent at the inquiry, namely:—

(a) a corporate body may be represented by its secretary or by any other officer appointed for the purpose, or by counsel or solicitor;

(b) a Government department, an employers association or a Trade Union may be represented by a counsel or a solicitor;

(c) where there are two or more persons having a similar interest in the matter under inquiry, the competent person may allow one or more persons to appear for the benefit of some or all persons so interested.

(3) The competent person appointed by the Central Government under section 121 of the Code, may, either on their own motion or on the application of any person entitled or permitted to appear, cause to be served on any person appearing before competent person likely to be able to give material evidence or to produce any document likely to be material evidence, a notice requiring that person to attend at the inquiry at the time and place specified in the notice to give evidence or produce the document.

(4) A person on whom a notice is served under sub-rule (3) may apply to the competent person either on or before the inquiry to vary or set aside the requirement and where that person does so before the inquiry, such person shall give application to the competent person.

(5) Except as otherwise provided in these rules, the procedure at and in connection with an inquiry shall be at the discretion of the competent person and contrary to the principles of natural justice who shall state at the commencement of the hearing the procedure, which subject to consideration of any submission by the persons appearing at the inquiry, proposing to adopt and inform those persons what is proposed with regards to any site inspection arising out of the hearing.

(6) In case of mines, the persons appointed to hold inquiry under section 121 shall hold the inquiry in public in such manner and under such conditions as the competent person thinks most effectual for ascertaining the causes and circumstances of the accident or other occurrences and for enabling the competent person to make the report.

(7) Where on inquiry finds that the accident was due to any carelessness or negligence on the part of the management, the competent person may direct the recovery of the expenses of such competent person including any expenses incurred with the previous sanction of the competent person and any other expenses connected with the enquiry which the court may direct as recoverable from the owner of the mine concerned, in such manner and within such time as the competent person may specify.

(8) The amount directed to be recovered under sub rule (7) may, on application by the Chief Inspector-cum-Facilitator or an Inspector-cum-Facilitator to the concerned authority, be recovered from the employer.

(9) An Inspector-cum-Facilitator nominated in this behalf by the Central Government, shall act as the Secretary to the competent person.

(10) The inquiry or the survey, as the case may be, shall be completed and submitted to the Central Government, within a period of three months from the date of the order through which it is constituted.

181. Procedure of survey and other related matters.- (1) The Central Government may direct Directorate General Occupational Safety and Health or Directorate General Mines Safety or any other institution under the control of the Central Government, to appoint a committee to undertake a survey on the situation relating to safety and health at work at any workplace or class of workplaces or into the effect of work activity on the health of the employees within and in the vicinity of the workplace.

(2)The committee shall carry out the survey with a view to finding out the status of safety and health at work the workplace and its effect on the workers.

(3)The report of the committee to be submitted to the Central government shall be of status of an inspection report and contain conclusive findings of the survey along with the recommendations for improving the status of occupational safety and health for prevention of accidents or dangerous occurrences or occupational diseases as the case may be and containing suggestions for implementation thereof for compliance which shall be ensured by the Inspector-cum-Facilitator.

182. Manner of compounding of offences by the authorised officer.-(1) The officer notified by the Central Government for the purposes of compounding of offences under sub-section (1) of section 114 shall on an application in **FORM- XXVI** by an accused person desirous of making composition of a compoundable offence, before or after holding the enquiry or as the case may be, of institution of prosecution, issue electronically a compounding notice in **Form-XXVII** to such person for the offence for which is compoundable under sub-section (1) of section 114 of the Code.

(2) The person so noticed under sub-rule (1) may apply to the officer in **Part-III of Form-XXVII**, electronically and deposit the entire compounding amount by electronic transfer or otherwise, within fifteen days of the receipt of the notice.

(3) The officer referred to in sub-rule (1) shall issue a composition certificate in **Part IV of FORM-XXVII** within ten days of receipt of the composition amount, to such person from whom such amount has been received in satisfaction of the composition notice.

(4) If a person so noticed fails to deposit the composition amount within the time specified, the prosecution shall be instituted after one month from the last date of specified time before the court against such person for the offences in respect of which the compounding notice was issued.

(5) For compounding of an offence, where the prosecution has already been instituted in a court, the officer referred to in sub-rule (1) shall send a copy of such order for intimation to the concerned court for further action.

CHAPTER-XIII
SOCIAL SECURITY FUND

183. Social Security Fund. - Social Security Fund set up under section 141 of the Code on Social Security, 2020 (36 of 2020) shall be deemed to have been set up under section 115 of the Code, including other sources of fund and the manner of administering and expending the fund for welfare of the unorganised workers.

CHAPTER XIV
MISCELLANEOUS

184. Grievance redressal mechanism for contract labour.-

(1) The contract labour may submit grievance relating to health, working conditions and wages, at the level of principal employer, who shall look into the matter and redress grievance.

(2) A committee shall be constituted by the principal employer in whose establishment contract labour is employed and the committee shall comprise of a chairman, who shall be the authorised representative of the principal employer and shall have representative of principal employer and contractor.

(3) The committee shall hear and dispose of the grievance of the contract labour within a period of thirty days.

(4) In event the grievance is not redressed within thirty days, the principal employer shall forward the grievance to the concerned Inspector-cum-Facilitator electronically.

(5) The Inspector-cum-Facilitator, upon receipt of the grievance forwarded under sub-rule (4), shall inquire into the matter and take appropriate action for its disposal, and shall ensure that the grievance is resolved within a period not exceeding sixty days from the date of its receipt.

185. Annual increment of regular worker of a contractor.- A worker who is regularly employed by the contractor for any activity and employment of such worker is governed by mutually accepted standards of the condition of employment shall be such that such worker gets an annual increment of not less than two percent of their wages.

186. Income from sources and quantity of hazardous substance.- Income from sources under *Explanation* to clause (x) of sub-section (1) of section 2 and substance or quantity of substance under clause (zb) of said sub-section shall be specified through general or special order by Central Government issued from time to time.

ANNEXURE- I

List of contents of First Aid Box as provided under rule 54(ii): -

1. Appropriate number of small, medium and large sized sterilized dressings pads
2. Appropriate number of large size sterilized burn dressings pads
3. Appropriate number of packets of sterilized cotton
4. Sufficient quantity of Cetrimide solution (1%-3%) or a suitable antiseptic solution (10% Povidone Iodine)
5. Pair of scissors, Tweezers, Tourniquet and disposable gloves
6. Adequate adhesive Tapes and adhesive Bandage Tape of different sizes.
7. Adequate Elastic crepe bandages of different sizes.
8. Sterilized eye pads.
9. Strips containing analgesic (Paracetamol-650 mg) and Antacid and adequate number of ORS Sachets.
10. Pain relief / analgesic spray
11. Polythene wash bottles (Normal Saline or Distilled Water)
12. Adequate Roller bandages of different sizes.
13. Adequate and suitable splints.
14. Resuscitation equipment such as ambu bag.
15. Tablets such as Asprin, Isosorbide Di-nitrate.
16. Anti-allergic medicine, eye drops
17. One copy of First-aid leaflet which includes emergency contact numbers of nearby hospitals.

ANNEXURE- II

List of equipment for ambulance room as provided under rule 55(ii):-

1. Glazed sink with hot and cold-water supply
2. Table with Chairs, Refrigerator
3. Suitable solution or Equipment for medical instruments sterilization
4. Patient Examination table or couch with pillow, Washable Rubber Sheets, Blankets, Towels
5. Appropriate number of Medium size sponge forceps
6. Kidney tray
7. Antiseptic soaps
8. Clinical thermometers
9. Hand torch

10. Adequate number of tetanus toxoid injection
11. Tablets – Antihistaminic, Antispasmodic, Antipyretic (Paracetamol), Antacid, Antiemetics
12. Tablets-Isosorbide Dinitrate (5 mg), Aspirin (75mg) + Atorvastatin (20mg) + Clopidogrel (75mg)
13. ORS Sachets
14. Injection: Atropine, Adrenalin, Hydrocortisone, Furosemide, local anaesthetics
15. Disposable Syringes with needles of different sizes and needle holder
16. Suturing needles and materials
17. Pair of dissecting forceps
18. Pair of dressing forceps
19. Pair of artery forceps
20. Surgical scissors
21. Scalpel
22. Stethoscope
23. Rubber bandage – pressure bandage
24. Oxygen cylinder/Oxygen Concentrator with necessary attachments
25. One Blood Pressure apparatus
26. Appropriate number of Normal Saline Bottle, Ringer Lactate Solution, 5% Dextrose Solution, 25% Dextrose Solution.
27. Green (18G), Pink (20G) and Blue (22G) Intravenous (IV) Cannula and suitable fixator
28. Disposable Intra venous Infusion Set
29. Intravenous Infusion Stand
30. Blood Glucose Monitoring Kit
31. Biomedical Waste Management Bins as per statutory requirement
32. Adequate number of Plain wooden splints of appropriate sizes or any other suitable splints
33. Wheelchair
34. Scoop stretcher
35. Adequate small, medium and large sterilized dressings
36. Adequate sterilized burn dressings
37. Adequate packets of sterilized cotton
38. Antiseptic solution like Cetrimide (1%-3%) or Povidone Iodine (10%) solution
39. Roll of adhesive bandages and adhesive Tapes of different sizes.
40. Elastic crepe bandages of different sizes.
41. Adequate Pieces of sterilized eye pad.
42. Adequate roller bandages of different sizes.
43. Tourniquet
44. Disposable gloves
45. Tweezers
46. Pulse Oximeter.

47. Suitable Suction unit with equipment
48. Resuscitation equipment such as Automated External Defibrillator and ambu bag.
49. Any other equipment recommended by the qualified medical practitioner according to the specific need.

ANNEXURE- III

List of contents of first aid box in case of mines as provided under rule 54(iii) :-

(i) Wound Care:

(a) Sterile adhesive bandages in various sizes (e.g., small, medium, large)
(b) Sterile gauze pads and dressings with advanced wound-healing properties
(c) Transparent film dressings for covering and protecting wounds
(d) Antiseptic wipes or solution for wound cleaning
(e) Skin closure strips for small cuts and lacerations
(f) Disposable gloves (latex-free or nitrile)
(g) Scissors with rounded tips

(ii) Cardiopulmonary Resuscitation and Resuscitation:

(a) Pocket mask or face shield with one-way valve for administering **Cardiopulmonary Resuscitation** safely
(b) Disposable resuscitation bag-valve-mask device with **Positive End-Expiratory Pressure** valve (positive end-expiratory pressure)

(iii) Medications and Ointments:

(a) Antiseptic ointment with broad-spectrum antimicrobial properties
(b) Hydrocortisone cream for insect bites and skin irritations
(c) Pain relievers (e.g., acetaminophen, ibuprofen) with appropriate dosages
(d) Antihistamines for allergic reactions, available in various formulations (tablets, liquid, etc.)
(e) Aspirin for suspected cardiac events
(f) Sugar sachets

(iv) Bandages and Dressings:

(a) Elastic bandages with self-adhesive properties and Ice pack box with ice bags for sprains and strains
(b) Non-stick wound dressings or pads with enhanced absorbency
(c) Burn Care:
(d) Hydrogel burn dressings for immediate cooling and pain relief
(e) Sterile burn sheets with hydrogel coating

(f) Burn gel or spray with a soothing effect

(v) Equipment and Tools:

(a) Digital thermometer for accurate temperature readings

(b) Suction apparatus, Stiff neck collar, Airway, Artificial manual breathing unit bag, Finger probe pulse oximeter

(vi) High-quality flashlight with adjustable brightness.

ANNEXURE- IV

List of equipments for Ambulance Room in case of mines as provided under rule 55(iii) :-

(i) Advanced Medical Equipment:

(a) Portable oxygen cylinder with a regulator and various oxygen delivery devices (nasal cannula, mask)

(b) Nebulizer for administering respiratory medication efficiently

(c) Suction device for airway management and clearing secretions

(d) Automated External Defibrillator (AED) with the latest technology and features

(e) Blood pressure monitor for accurate blood pressure readings

(f) Glucometer with test strips for blood glucose level assessment

(ii) Sanitation and Hygiene:

(a) Hand sanitizers with at least 60% alcohol content

(b) No-touch waste disposal containers for biohazardous waste

(c) Disposable wipes for cleaning surfaces and equipment

(iii) Patient Transport:

(a) Electric or hydraulic adjustable examination table with padding and safety features for patient comfort and ease of assessment.

(b) Portable patient transfer chair or stretcher with locking wheels for safe and efficient patient transport within the facility.

(c) Plastic covers for any amputated parts with ice packs.

(iv) Hygiene and Wound Care:

(a) Glazed sink with infrared sensor for hands-free operation, equipped with an integrated soap dispenser and paper towel dispenser.

(b) Antimicrobial soap with moisturizing properties for effective handwashing

(c) Disposable nail brushes with biodegradable bristles for personnel hand hygiene.

(v) Wound Dressings and Supplies:

(a) Advanced wound dressings with hydrogel or silver-based technology for better wound healing and infection prevention.

(b) Sterile silicone dressings with adhesive properties that do not damage the skin during removal.

(c) Non-adhesive wound contact layers to minimize pain during dressing changes.

(d) Transparent film dressings with enhanced breathability for covering and monitoring wounds.

(e) Sterile foam dressings for exuding wounds with high absorption capacity.

(f) Nasal suction bulb

(vi) Antiseptic Solutions:

(a) Sterile saline solution or wound wash for gentle wound irrigation.

(b) Sterile wound cleansing wipes with skin-friendly antiseptic properties.

(vii) Patient Comfort and Warmth:

(a) Soft fleece blankets with moisture-wicking and thermal-regulating properties for patient comfort and warmth.

(b) Reusable instant heat packs with advanced heat-retaining materials for on-demand warmth.

(viii) Splints and Support:

(a) Malleable, vacuum-formed, or inflatable splints with adjustable properties for better immobilization and support.

(b) Elastic cohesive bandages with self-adhesive properties for secure and comfortable support.

(c) Triangular bandages

(ix) Emergency Equipment: Pressure bandage for controlling severe bleeding effectively.

(x) Temperature Assessment: Non-contact infrared thermometers for quick and hygienic temperature assessment.

(xi) Medications and Administration Equipment: Emergency medications and equipment as prescribed by a qualified medical practitioner,

(xii) Emergency Medications: Adequate supply of anti-tetanus serum and other emergency medications as prescribed by a qualified medical practitioner.

(xiii) Medical Appliances:

(a) One Stethoscope and one Automated blood pressure monitor with digital display and adjustable cuffs for accurate readings.

(b) One Electro Cardio Graph machine

(c) One each of Suction apparatus, Stiff neck collar, Airway, Artificial manual breathing unit bag, Finger probe pulse oximeter.

ANNEXURE-V

List of equipment for first aid station in case of mines as provided under rule 54(ix)(B)

(i) One stretcher with two blankets

(ii) Inflatable splints

(iii) Patient Examination table

(iv) First aid box contains materials as prescribed in Annexure-I

ANNEXURE- VI

LIST OF EQUIPMENTS FOR MEDICAL FACILITIES ROOM OR DISPENSARY as provided under rule 63(ii) :-

1. Glazed sink with hot and cold-water supply
2. Table with Chairs, Refrigerator
3. Suitable solution or Equipment for medical instruments sterilization
4. Patient Examination table or couch with pillow, Washable Rubber Sheets, Blankets, Towels
5. Appropriate number of medium size sponge forceps
6. Kidney tray
7. Antiseptic soaps
8. Clinical thermometers
9. Hand torch
10. Adequate number of tetanus toxoid injection
11. Tablets – Antihistaminic, Antispasmodic, Antipyretic (Paracetamol), Antacid, Antiemetics
12. Tablets-Isosorbide Dinitrate (5 mg), Aspirin (75mg) + Atorvastatin (20mg) + Clopidogrel (75mg)
13. ORS Sachets
14. Injection: Atropine, Adrenalin, Hydrocortisone, Furosemide, local anaesthetics
15. Disposable Syringes with needles of different sizes and needle holder

16. Suturing needles and materials
17. Pair of dissecting forceps
18. Pair of dressing forceps
19. Pair of artery forceps
20. Surgical scissors
21. Scalpel
22. Stethoscope
23. Rubber bandage – pressure bandage
24. Oxygen cylinder/Oxygen Concentrator with necessary attachments
25. One Blood Pressure apparatus
26. Appropriate number of Normal Saline Bottle, Ringer Lactate Solution, 5% Dextrose Solution, 25% Dextrose Solution.
27. Green (18G), Pink (20G) and Blue (22G) Intravenous (IV) Cannula and suitable fixator
28. Disposable Intra venous Infusion Set
29. Intravenous Infusion Stand
30. Blood Glucose Monitoring Kit
31. Biomedical Waste Management Bins as per statutory requirement
32. Adequate number of Plain wooden splints of appropriate sizes or any other suitable splints
33. Wheelchair
34. Scoop stretcher
35. Adequate small, medium and large sterilized dressings
36. Adequate sterilized burn dressings
37. Adequate packets of sterilized cotton
38. Antiseptic solution like Cetrimide (1%-3%) or Povidone Iodine (10%) solution
39. Roll of adhesive bandages and adhesive Tapes of different sizes.
40. Elastic crepe bandages of different sizes.
41. Adequate Pieces of sterilized eye pad.
42. Adequate roller bandages of different sizes.
43. Tourniquet
44. Disposable gloves
45. Tweezers
46. Pulse Oximeter.
47. Suitable Suction unit with equipment
48. Resuscitation equipment such as Automated External Defibrillator and ambu bag.
49. Any other equipment recommended by the Medical Officer according to the specific need.

ANNEXURE- VII

List of Forms prescribed under Occupational Safety, Health and Working Conditions (Central) Rules, 2026

S.No.	Form Number	Subject
1	FORM-I	Application for registration of establishment/Amendment to certificate of registration/ Updation of registration particulars of establishments already registered under any other Central Labour Laws
2	FORM-II	Application for cancellation of Registration Certificate of establishment
3	FORM-III	Certificate of Registration of Establishment
4	FORM-IV	Certificate of cancellation of Registration Certificate of Establishment
5	FORM-V	Register of Establishment
6	FORM-VI	Notice of Commencement / cessation of operations
7	FORM-VII	Notice of Commencement/Re-opening/Cessation/ Discontinuance/ Abandonment of operations/Closing of mines
8	FORM-VIII	Health Examination (Except mine employees)
9	FORM- IX	Report of medical examination (For mine employees only)
10	FORM- X	Certificate of medical re-examination by Appellate Medical Board
11	FORM-XI	Notice of accident or dangerous occurrence
12	FORM-XII	Notice of periods of work
13	FORM-XIII	Employee register
14	FORM-XIV	Attendance register-cum-muster roll
15	FORM – XV	Register for wages, overtime and deductions
16	FORM – XVI	Wage slip
17	FORM-XVII	Annual return

18	FORM XVIII	Half Yearly Return (January to June / July to December) to be submitted by Contractor to the Deputy Chief Labour Commissioner (Central)
19	FORM-XIX	Register of accidents and dangerous occurrences
20	FORM-XX	Register for leave with wages
21	FORM-XXI	Application for Licence/Renewal of Licence/ Amendment of Licence (including Common/single licence)
22	FORM-XXII	Proforma of license
23	FORM-XXIII	Experience certificate of contract labour
24	FORM-XXIV	Agreement between Producer and Audio-visual worker
25	FORM-XXV	Improvement notice
26	FORM- XXVI	Application for composition of offence
27	FORM-XXVII	Notice to the employer for an offence committed under the provisions of the Code for the first time for composition of offences under sub-section (1) of section 114

FORM-I

(See rule 3(1))

Application for registration of establishment/Amendment to certificate of registration/ Updation of registration particulars of establishments already registered under any other Central Labour Laws

A. Establishment Details.

1. Retrieve details of Establishment through LIN:

2. Name of Establishment:

3. Location and Address of the Establishment:

3 a. PAN:

4. Others details of Establishment:

a. Total Number of employees engaged directly in the establishment:

b. Total Number of the contract employees engaged:

c. Total Number of Inter-State Migrant workers employed:

5 (a) For factories:

Details of the manufacturing process	Full postal address and situation of the factory	Name and address of the occupier and manager	Maximum number of workers to be employed on any day
1	2	3	4

5 (b) For mines:

Name of Mineral(s)	Lease extent of the mine (in Acres)	Name and address of the owner	Average Monthly output, targeted (Tonne)	Maximum number of persons to be employed on any day
1	2	3	4	5

5 (c) For Dock work:

Name of dock Work/Major Port	Types of Dock Works	Name of the Cargo handled and stored along with quantity	Name of the chemicals handled and stored along with quantity	Name of the hazardous Chemicals handled and stored along with quantity
1	2	3	4	5

5 (d) For building or other construction work:

Type of Construction work	Probable period of commencement of work	Expected period for completion of work	Details of approval of the local authority
1	2	3	4

5 (e) Any Other establishment:

6. Ownership Type/Sector:

7. Activity as per National Industrial Classification:

8. Details of Selected NIC Code:

9. Identification of the establishment e-sign/ digital sign of employer/ representative:

B. Details of Employer:-

1. Name & Address of Employer / Occupier / Owner/Agent/ Chief Executive/ port authority etc. :
2. Designation :
3. Father's/ Husband's Name of the Employer :
4. Email Address, Telephone& Mobile No. :

C. Manager/ Agent Details:-

1. Full name & Address of Manager/ Agent or person responsible for supervision and control of the Establishment
2. Address of Manager/ Agent:
3. Email Address, Telephone& Mobile No. :

D. Contractor Details:-

Name and Address of Contractor	Email address & Mobile No. of Contractor	Name of Work	Maximum No. of Contract labour engaged	Date of Commencement /Probable date of Completion of work
1	2	3	4	5

E. Others Details:-

Signature/ E-sign/digital sign of employer

Dated:-
Place:-

FORM-II

[(See rule 3(10)]

Application for cancellation of Registration Certificate of establishment

1. Registration No:
2. Name and Address of Establishment:-
3. Name and Designation of employer :-
4. Full address to which communication relating to the establishment to be sent :-
5. Nature of work of the establishment :-

I/We here by intimate that the establishment having registration No. …….. dated…….
is closed with effect from……. (Date).

Certificate from Employer

I/we hereby certify that the payment of all dues to the workers employed in the establishment having registration no. ____ dated_____ has been made.

I/we hereby certify that the establishment having registration no. ____ dated_____ kept free from storage of hazardous chemicals and substances.
[Strikeout whichever if not applicable]

Signature of the Employer

To,
The Registering Officer
The Inspector-cum-Facilitator

Place: Signature/ E-sign/digital sign of employer

Date:

FORM-III

[See rule 3(2)]

Certificate of Registration of Establishment

Registration No. Date

A Certificate of registration containing the following particulars is hereby granted under sub section (2) of section 3 of the Occupational Safety, Health and Working Conditions Code, 2020(37.of 2020) to….....(Name of the establishment)

1. Nature of work carried on in the establishment (Please tick mark)

(a) Factory (b) Mining

(c) Dock work (d) Contract Work

(e) Building or Other Construction Works (f) any other work (not covered above)

2. Details of the establishment:

a. Total Number of employees engaged directly in the establishment:

b. Total Number of the employees engaged through contractor:

c. Total Number of Contractors and their details:

d. Number of inter-state migrant workers engaged:

3 (a) For factories

Details of the manufacturing process	Full postal address and situation of the factory	Name and address of the occupier and manager	Maximum number of workers to be employed on any day
1	2	3	4

3 (b) For mines

Name of Mineral(s)	Lease extent of the mine (in Acres)	Name and address of the owner	Average Monthly output, targeted (Tonne)	Maximum number of persons to be employed on any day
1	2	3	4	5

3 (c) For Dock work

Name of Dock Work / Major Port	Types of Dock Works	Name of the Cargo handled and stored along with quantity	Name of the chemicals handled and stored along with quantity	Name of the hazardous Chemicals handled and stored along with quantity
1	2	3	4	5

3 (d) For building or other construction work

Type of Construction work	Probable period of commencement of work	Expected period for completion of work	Details of approval of the local authority
1	2	3	4

3 (e) Any Other establishment:

4. Remarks of registering officers:

Place:
Date:

/Signature E -Sign/DSC of registering officer
along with designation

Conditions of Registration

(1) Every certificate of registration issued under rule 3 shall be subject to the following conditions, namely:

(a) the certificate of registration shall be non-transferable;

(b) The number employees engaged in an establishment, whether directly or on contract, shall not, on any day, exceed the maximum number specified in the certificate of registration; and

(c) Save as otherwise provided in these rules, the fees paid for the grant of certificate of registration shall be non-refundable.

(2) The employer shall intimate the change, if any, in the number of employees or the conditions of work to the registering officer within 30 days.

(3) The employer shall, within thirty days of the commencement or cessation of operation, intimate to the Registering Officer and Inspector-cum-Facilitator, having jurisdiction in the area where the proposed establishment is situated or the work is executed, the actual date of such commencement or, as the case may be, closing of establishment electronically.

(4) A copy of the certificate of registration shall be displayed at the conspicuous places at the premises where the work is being carried on.

FORM-IV

[(See rule 3(11)]

Certificate of cancellation of Registration Certificate of Establishment

No. Date:

The Registration No……dated…… of ……..…….. (Name of the establishment), of Factory/ Mine/Dock Work/ Contract Work/ Building or Other Construction Work/ Any other work (work carried on in the establishment) is hereby cancelled with effect from ……. under sub-section (5) of section 3 of the Occupational Safety, Health and Working Conditions Code, 2020 (37 of 2020).

Place: Signature/ E -Sign/DSC of Registering Officer

Date: along with designation

FORM-V

[See rule 3(9)]

Register of Establishment

SI.No.	Nature of work	Registration No. and Date	Name, address, and location of the establishment registered	Name, Address and Contact Details of Employer	Total number of Workers and Total Horsepower(if any)	Total number of Contract Workers	Remarks
1	2	2	3	4	5	6	
	(a) Factories (b) Mines (c) Dock Work (d) Building or other Construction work (e) Contract work (f) Inter-State Migrant Work (g) Any other work(not covered above)						

FORM-VI

[See rule 4(1)]

Notice of Commencement / cessation of operations

1. Registration No:
2. Name and Address of establishment:-
3. Name and Designation of employer :-
4. Full address to which communication relating to the establishment to be sent :-
5. Nature of work of the establishment :-

A. Notice of Commencement / cessation of operations

I/We hereby intimate that the operation of establishment having registration No. .....dated …… has commenced with effect from ……. (Date) and approximate duration of operation is _____ year_____month.

OR

I/We hereby intimate that the operations of the establishment having registration No.....dated …… has ceased with effect from ……. (Date).

[Strikeout whichever is not applicable]

B. Certificate from employer in case of cessation of operation

I/we hereby certify that the payment of all dues to the workers employed in the establishment having registration no. ____ dated_____ has been made.

I/we hereby certify that the establishment having registration no. ____ dated_____ kept free from storage of hazardous chemicals and substances.

[Strikeout whichever is not applicable]

Signature of the Employer

To,

The Registering Officer

The Inspector-cum-Facilitator

FORM-VII

(For Mines)

(See rule 4(2))

Notice of Commencement/Re-opening/Cessation/Discontinuance/ Abandonment of operations/Closing of mines

I. In case of Notice of commencement the following additional details to be given

Particulars of the Owner/Agent/Manager:

1. Labour Identification Number (LIN), if any
2. Mine Code, if any

3. Details of Owner, Agent, Manager					
Sl. No.	Particulars	Owner	Nominated Owner	Agent	Manager
i.	Name				
ii.	Father's name				
iii.	Address Village/area/road– Post Office- Police Station- Sub-Division (Taluq)/Tehsil- Railway station(nearest)- District- State- PIN-				
iv.	Mobile Number				
v.	Telephone number (Landline with STD Code)				
vi.	Fax number				
vii.	Email ID				

4. Date on which it is intended to open the mine (DD/MM/YYYY)

5. Plan(s) to be enclosed as required under Regulations enclosed: Yes/No;
   5.1 If yes, specify plans Nos. with date……

6. Safety Management Plan (SMP) enclosed- Yes/No;
   6.1 If yes, specify reference number with date……

7. Actual date of opening (DD/MM/YYYY)

II. In case of reopening: following additional details to be given

1. Date on which it is intended to reopen the mine (DD/MM/YYYY)

2. Plan(s) under Regulations enclosed: Yes/No;
   2. 1 If yes, specify plan No. with date……

3. Safety Management Plan (SMP) enclosed- Yes/ No

3.1 If yes, specify reference No. with date……

4. Actual date of reopening (DD/MM/YYYY)

III. In case of cessation/abandonment: following additional details to be given

1. Date on which it is intended to close/abandon* the mine (DD/MM/YYYY)

2. Actual date of closure /abandonment* (DD/MM/YYYY)

3. Number of persons likely to be affected

4. Reasons for closure / abandonment *

IV. In case of discontinuance: following additional details to be given

1. Date on which it is intended to discontinue the mine (DD/MM/YYYY)
2. Actual date of discontinuance (DD/MM/YYYY)
3. Number of persons likely to be affected
4. Reasons for discontinuance
5. Updated plans enclosed as required under Regulation - Yes/No

5.1 If Yes, Specify the Plan(s) reference number(s)

V. In case of closing of mines: following additional details to be given:

1. Mine closure plan:
2. Details of protective works to be carried out as per statute:

[Strikeout whichever is not applicable]

Certificate from the Employer

In case of discontinuation/abandonment/cessation/closing of Mines:

I/we hereby certify that the payment of all dues to the workers employed in the establishment has been made and the premises are kept free from storage of hazardous chemicals and substances.

Yours faithfully

Signature:
Designation: Owner / Agent / Manager
Date:

To
Registering Officer
Inspector-cum-Facilitator

INSTRUCTIONS
* Strikeout whichever is not applicable

FORM-VIII
(See rule 5(2))
HEALTH EXAMINATION
(Except mine employees)

photo

PART –A (Sl.No.1-11) : To be filled by the Employee:

1. Name of employee……2. Gender…. ….. 3. Age (with DOB)……..

4. Company……. 5.Designation…….5(a). UAN:…… 5(b) Aadhaar Number (after obtaining consent)

6. In-charge Employer / Executive Contacts……

7. Complete personal /plant Address ……

8. Mobile /Phone …… 9.Email……

10. Medical illness (Current) and under treatment & medication, If any……

---

11. Nature of Job (furnish more details, if hazardous and work-related viz. Physical, Chemical, Biological, Ergonomic etc)
……
Date: Signature of Employee

PART-B:

12.Medical Test Carried out & Reports to be Attached as Annexure . Medical Officer's interpretation/ Opinion of the Tests below (To be indicated only if abnormal , with reference to the attached Test reports) :

a. Ht. (in cm)
b. Wt. (in Kg)
c. Chest measurement:

(i) On inspiration ……cm

(ii) On expiration …… cm

(d) Waist Circumference

(e) Body Mass Index: ……

(f) Vision (Ophthalmologist tests):

i. Visual Acuity both Right & left eyes …….

ii. Colour Vision……..

(g) Blood Pressure (mm Hg)……..

(h) Complete Blood Count: (Hb, TLC, DLC, Platelets)…….

(i) Fasting Blood Sugar

(j) Post Prandial Blood Sugar…….

(k) SpO_2……..

(l) Blood Urea ….……..

(m) S. Creatinine ……..

(n) S. Bilirubin (Total + direct)

(o) SGOT

(p) SGPT……..

(q) Lipid profile (S. Cholesterol / Triglyceride / S.HDL) ……..

(r) S. TSH ……..

(s) X-ray Chest (PA view) ……

(t) ECG……

(u) Others if any…….

13.Final Diagnosis/ Opinion / Treatment if any, advise by qualified medical practitioner ……

14. Does the person have seizure (s) related disorders or difficulty in working at height ? If yes, specify the works to be avoided: Yes/No/ NA (Not applicable)

Date: Signature of the qualified medical practitioner

SEAL

.

FORM- IX

(For mine employees only)

[See rule 109, rule 113(1) , rule 119(1) and rule 142**]**

Report of medical examination

(To be issued in triplicate)

Certificate No……..

Certified that Shri/ Smt. /Miss…… employed as ……. in ……mine, Employee number…… . has been examined for an Initial/Periodical Medical Examination. Employee appears to be…… years of age. The findings of the examining authority are given in the attached sheet. It is considered that Shri/Smt. /Miss……..

(a) is medically fit for any employment in mines.

(b) is suffering from……. and is medically unfit for

(i) any employment in mine; or

(ii) any employment below ground; or

(iii) any employment or work…….

(c) Employee is suffering from…… and should get the disease/disability cured/controlled and be re-examined within a period of ……..months. Employee shall appear **f**or re-examination with the result of the test of**……** and the opinion of the ……Specialist from…… Employee may be permitted/not permitted to carry on their duties during this period.

Space for affixing Passport
Size Photograph of the
Candidate.

Place :

Signature & name of the examining authority
With date and seal

Report of the examining authority

(to be filled in for every medical examination whether initial or periodical or re-examination or after cure/control of disability).

Annexure to Certificate No……as result of medical examination on …….
Identification Mark……..

Left thumb impression and Signature of The candidate

1. General development- Good/Fair/Poor
2. Height……Cms.
3. Weight……kg.

4. Eyes :
   (i) Visual acuity-Distant vision (with or without glasses): Right eye……..Left eye……..
   (ii) any organic disease of eyes
   (iii) night blindness
   (iv) Color blindness (to be tested in IME)
   (v)Squint

5. Ears :
(i) Hearing: right ear…….Left ear ……..
(ii) Any organic diseases.
(iii) Audiometry Findings :

Conduction Type	Left Ear	Right Ear
Ear Conduction	Normal/Abnormal	Normal/Abnormal
Bone Conduction	Normal/Abnormal	Normal/Abnormal

Enclosed Audiometry Report.

6. Respiratory system.
   Auscultatory Finding:

Chest measurement :

(i) after full inspiration ……cms.

(ii) after full expiration……..cms.

Result of Lung Function Test (Spirometry)

Parameters	Predicted Value	Performed Value	% of Predicted
Forced Vital Capacity (FVC)			
Forced Vital Capacity 1 FEV1			
FEV1/FVC			
Peak Expiratory Flow			

Enclose Spirometry Report

7. Circulatory system:

Blood Pressure

Pulse

Cardiological Assessment

Auscultation	S1	
	S2	
	Additional Sound	
Electrocardiograph (12 leads) findings :		Normal/Abnormal
Echocardiography finding (to be tested in IME)		Normal/Abnormal

Enclose ECG

Enclose Echocardiography report

8. Abdomen :

Tenderness.

Liver.

Spleen.

Tumour.

Ultrasonography of Whole Abdomen (to be tested in IME)

(Enclose Ultrasonography report)

9. Nervous system:
   History of fits or epilepsy
   Paralysis.
   Mental health.

Neurological Assessment

Findings	Normal/Abnormal
Superficial Reflexes	
Deep Reflexes	
Peripheral Circulation	
Vibrational Syndromes	

Special Tests for Manganese exposure

Behavioral Disturbances		Present/Not Present
	Speech Defect	Present/Not Present
Neurological Disturbances	Tremor	Present/Not Present
	Adiadocokinesia	Present/Not Present
	Emotional Changes	Present/Not Present

10. Locomotory system
11. Skin.
12. Hydrocele.
13. Hernia.
14. Teeth
15. Speech
16. Pathological Investigations:

S.No.	Tests	Findings
1	Blood-Tc,Dc,Hb,ESR, Platelets	WNL/Abnormal
2	Blood Sugar- Fasting & PP	WNL/Abnormal

3	HbA1c(to be tested in IME and for diabetic person during PME)	WNL/Abnormal
4	Lipid profile	WNL/Abnormal
5	Blood Urea, Creatinine	WNL/Abnormal
6	Urine (Reaction, Albumin, Sugar)	WNL/Abnormal
7	Stool Routine	WNL/Abnormal
8	Sputum test for AFB(For Food handling employee)	
9.	Hemoglobin Electrophoresis for sickle cell disease /trait (to be tested in IME)	WNL/Abnormal
10.	Bilirubin	WNL/Abnormal
11.	SGOT	WNL/Abnormal
12.	SGPT	WNL/Abnormal
13.	delta aminolevulinic acid in urine (for person exposed to Lead)	WNL/Abnormal

Enclose all Investigation Reports.

17. Skiagram of chest.

ILO Classification of Chest Radiograph :

Profusion of Pneumoconiotic opacities	Grades	Types
Present/Absent		

Enclose Chest Radiograph

18.Any other abnormality.

19. Any other test considered necessary by the examining authority.

20. Any opinion of specialist considered necessary.

Place:

Signature & name of the examining authority
With date and seal

Medical Standard of Fitness for Persons to be employed in Mines (Initial Medical Examination).

1. The person shall be in good physical and mental health and free from any physical defect, likely to interfere with efficient employment in mines.
2. Speech must be without serious impediment.
3. Teeth shall be in good condition and where necessary, the employee shall be provided with dentures for effective mastication (well filled teeth shall be considered as sound). The gums shall be in healthy condition.
4. Skin: - There shall be no evidence of extensive and chronic skin disease or ulceration. In the case of an infective type of skin disease, the candidate may be declared fit after undergoing a treatment.
5. Hearing in each ear shall be good and there shall be no sign of disease of the ear. Audiometric examination shall be normal and the person shall be free from deafness in each ear.
6. Distant vision of eye with or without glass should not be less than following standard :
   a) For underground workers
      Better eye 6/6
      Worse eye 6/9

   b) For surface/opencast workers
      Better eye 6/9
      Worse eye 6/12

   c) Intra-ocular lens implant: In the case of a person who has undergone intraocular lens implant, if the visual activity with intra-ocular lens is according to the standards laid down, the person concerned may be considered fit

   d) Fundus examination: In myopia -2Diopter or more, Fundus examination should be carried out and the results recorded. In the event of pathological condition being present, which is likely to be progressive and affect the efficiency of the candidate, he shall be declared unfit.

   e) Color vision: - The testing of color vision is compulsory and the results should be normal. The Ishihara's Plates shall be used for testing color vision.

   f) There should be no night blindness for persons employed below ground and for persons employed in open cast working in shifts other than in morning’s shifts.

g) Any organic disease or a progressive refractive error which is likely to result in lowering the visual acuity should be considered a disqualification.

h) Squint:-Presence of binocular vision is essential, squint even if the visual acuity is of prescribed standard, should be considered a disqualification.

i) One eyed person - Presence of binocular vision is essential, one functional eye should be considered a disqualification.

j) There shall be no Nystagmus.

7. Respiratory system: Chest must be well formed Respiratory system should be sound and free from any chronic laryngeal, bronchial pulmonary disease. Tuberculosis of lungs if not active should not be a disqualification.

a) A full sized postero-anterior chest radiograph (not less than 11 inch. X 14 inch.) enough to include thoracic inlet and both costophrenic angles obtained by an X-ray machine (analog /digital) of atleast 300 Milli-Ampere strength shall be classified as per ILO international Classification of Radiographs of Pneumoconiosis by Medical Officer trained in such ILO classification. X-ray shall be classified using LED view box accommodating at least four chest radiographs of 14 inch. X 17inch size.

b) Lung function tests (spirometry) to record forced vital capacity (FVC) and forced expiratory volume in one second (FEVI) shall be made. Findings of spirometry shall be within normal limit.

8. Circulatory system: - There should be no evidence of cardiac or vascular disease which may interfere with their efficient employment in a mine. The Blood pressure shall not be more than 130/80 mm Hg. Detailed cardiovascular assessment of employees should be done. This should include 12 leads electrocardiogram, echocardiography and complete lipid profile.

9. Locomotor System: The limbs, hands, fingers, feet and toes should be well formed and developed & without any deformity any deformity and function of all limbs should be within normal limits.

10. There should not be any evidence of disease of abdominal organs which is likely to affect their efficient discharge of duty in a mine. Ultrasonography (whole abdomen) report shall be normal.

11. In case the candidate has hernia, he may be declared fit after he has been successfully operated for the same.

12. Hydrocele if present should not be large enough to impede the normal activities of the person. If it is large enough he may be declared fit after being successfully operated.

13. The nervous system should be sound. Persons with history of epilepsy or any other type of organic or historical fits should not be declared fit for employment in a mine. Detailed neurological examinations including testing of all major superficial and deep reflexes shall be done.

14. Fasting, Post- prandial Blood sugar and Glycoslated Hb level (HbA1c) shall be tested .GlycoslatedHb level (HbA1c) by a medical specialist as Diabetes Mellitus is known to damage of target organs. GlycoslatedHb level (HbA1c) shall not be more than 6.0. Only such cases of well controlled Diabetes Mellitus with no associated complications may be considered for appointment.

15. Serum Urea and Creatinine shall be within normal limit.

16. Bilirubin, SGOT and SGPT shall be within normal limit.

17. Routine Stool shall be within normal limit.

18. The medical examination should include examination of urine. Mere presence of albumin and sugar in the urine without any gross organic disease producing signs and symptoms should not be a disability.

19. There should not be sickle cell disease /trait. Hemoglobin Electrophoresis test shall be done.

Medical Standard of Fitness for Persons Employed (Periodical Medical Examination)

1. The person should be in good mental and bodily health and free from any physical defect likely to interfere with their efficient employment in a mine.

2. Speech must be without serious impediment.

3. Teeth shall be in good condition and where necessary, the employee shall be provided with dentures, where necessary, for effective mastication (well filled teeth will be considered as sound). The Gums should be in healthy condition.

4. Locomotor System: The limbs should be well formed and developed, and the function of all the limbs should be within normal limits. Any deformity should be recorded. There should be no deformity or paralysis which may interfere with their efficient employment in a mine.

5. Skin: - There shall be no evidence of extensive and chronic skin disease or ulceration. In case of infective skin disease, the candidate maybe declared fit after he has undergoing a treatment. All occupational skin diseases should be noted.

6. Eye :

(a) Vision with or without glass should not be less than the following standard:

i. Better eye	6/9
ii. Worse eye	6/12

(b) There should be no night blindness for persons employed below ground and for persons employed in open cast working in shifts other than in morning's shifts.

(c) A person having only one eye which functions normally should not be employed below ground, For employment on surface the vision of such a person in the other eye should be 6/9with or without glasses.

7. Hearing should be good, any progressive disease affecting hearing/or occupational deafness should be recorded. Audiometric examination shall be conducted in every case.

8. Respiratory System: Respiratory system should be sound and free from any chronic laryngeal, bronchial pulmonary disease. Tuberculosis of lungs if not active should not be a disqualification.

a) A full sized postero-anterior chest radiograph (not less than 14 inch. X11 inch.) enough to include thoracic inlet and both costophrenic angles obtained by an X-ray machine (analog /digital) of at least 300 mA Milli-Ampere strength shall be classified as per ILO international Classification of Radiographs of Pneumoconiosis by Radiologist / Medical Officer trained in such ILO classification.

b) Lung function tests (spirometry) to record forced vital capacity (FVC) and forced expiratory volume in one second (FEVI) shall be made. Findings of spirometry shall be within normal limit.

9. Circulatory system – There should be no evidence of any heart or vascular disease which may interfere with their efficient employment in a mine. Detailed cardiovascular assessment of employees should be done. This should include 12 leads electrocardiogram and complete lipid profile. The Blood pressure shall not be more than 140/90 mm Hg.

10. There should not be any evidence of disease of abdominal organs which is likely to affect their efficient discharge of duty in a mine.

11. The nervous system should be sound. Persons with history of epilepsy or any other type of organic or historical fits should not be declared fit detailed neurological examinations including testing of all major superficial and deep reflexes shall be done.

12. Persons exposed to manganese, In addition to the basic neurological examination, special emphasis should be given to behavioral and neurological disturbances such as speech defect, tremor, impairment of equilibrium, adiadochokinesia and emotional changes.

13. Persons exposed to lead; PME should include delta aminolevulinic acid in urine.

14. Persons engaged in food handling and preparation and handling of stemming material activities should undergo routine sputum for Acid Fast Bacilli (AFB).

15. Fasting & Post- prandial Blood sugar shall be tested. Diabetes shall be under controlled. Target organ shall not be affected by diabetes.

16. Serum Urea and Creatinine shall be within normal limit.

17. Bilirubin, SGOT and SGPT shall be within normal limit.

18. Routine Stool shall be within normal limit.

19. In case the candidate has hernia he may be declared fit after he has been successfully operated for the same.

20. Hydrocele if present should not be large enough to impede the normal activities off the candidate. In such cases he may be declared fit after being successfully operated.

The medical examination should include examination of urine and of other system for evidence of disease. Mere presence of albumin and sugar in the urine without any gross organic disease producing signs and symptoms should not be considered as a disability.

FORM- X

[See rule 119 (2)]

Certificate medical re-examination by Appellate Medical Board

(To be issued in triplicate)

We do hereby certify that we have examined Shri/ Smt. /Miss…… employed as ……. in ……., Employee number…… ., who was declared medically unfit for.

1. any employment in mine.
2. any employment belowground.
3. any employment in work…….
   (Specify in details)

After re-examination, we consider that –

1. Employee is medically fit for any employment in mine.

2. Employee is suffering from…….. and is medically unfit for

   (a) any employment in mine.
   (b) any employment belowground.
   (c) any employment in work…….
   (Specify in details)

3. Employee is suffering from……..and should get this disability/cured/controlled and be re-examined within a period of ……months. Employee shall appear for re-examination within a period of……months. Employee shall appear for re-examination with the result of the test

of …… and opinion of the …… specialist from……. . Employee may be permitted/may not be permitted to carry on their duties during this period.

Signature & Name of members of Appellate Medical Board with date

Paste colour passport size photograph
Attested by manager/agent/owner

1……(Convenor)
2……..
3……

Report of the Appellate Medical Board

Annexure to certificate No…….as result of Medical examination on…….

Identification mark :

Left thumb impression & Signature of the candidate

1. General development- Good/Fair/Poor
2. Height……Cms.
3. Weight……kg.
4. Eyes :

(i) Visual acuity-Distant vision (with or without glasses): Right eye…….. Left eye……..
(ii) any organic disease of eyes
(iii) night blindness
(iv) Colour blindness
(v) Squint

5. Ears :

(i) Hearing : right ear…….Left ear ……..
(ii) Any organic diseases.

Audiometry Findings if required :

Conduction Type	Left Ear	Right Ear
Ear Conduction	Normal/Abnormal	Normal/Abnormal
Bone Conduction	Normal/Abnormal	Normal/Abnormal

Enclosed Audiometry Report.

6. Respiratory system.
Auscultatory Finding:
Chest measurement :
(i)after full inspiration ……cms.
(ii)After full expiration……..cms.

Result of Lung Function Test (Spirometry) if required

Parameters	Predicted Value	Performed Value	% of Predicted
Forced Vital Capacity (FVC)			
Forced Vital Capacity 1 FEV1			
FEV1/FVC			
Peak Expiratory Flow			

Spirometry Report enclosed

7. Circulatory system:
Blood Pressure :-
Pulse :-

Cardiological Assessment

Auscultation	S1	
	S2	
	Additional Sound	
Electrocardiograph (12 leads) findings :		Normal/Abnormal
Echocardiography finding if required		Normal/Abnormal

Enclosed ECG
Enclosed Echocardiography report

8. Abdomen :
   Tenderness.
   Liver.
   Spleen.
   Tumour.
9. Nervous system:
   History of fits or epilepsy
   Paralysis.
   Mental health.

Neurological Assessment

Findings	Normal/Abnormal
Superficial Reflexes	
Deep Reflexes	
Peripheral Circulation	
Vibrational Syndromes	

10. Locomotory system
11. Skin.
12. Hydrocele.
13. Hernia.
14. Any other abnormality
15. Urine :
    Reaction:
    Albumin:
    Sugar:

16. Pathological Investigations:

S.No.	Tests	Findings
1	Blood-Tc,Dc,Hb,ESR, Platelets	WNL/Abnormal
2	Blood Sugar- Fasting & PP	WNL/Abnormal
3	HbA1c if required	WNL/Abnormal
4	Lipid profile	WNL/Abnormal
5	Blood Urea, Creatinine	WNL/Abnormal
6	Urine Routine	WNL/Abnormal
7.	Hemoglobin Electrophoresis (if required)	WNL/Abnormal

Enclosed all Investigation Reports.

17. Skiagram of chest.

18. ILO Classification of Chest Radiograph :

Profusion of Pneumoconiotic opacities	Grades	Types
Present/Absent		

Enclosed Chest Radiograph

19. Any other test considered necessary by the examining authority.

20. Any opinion of specialist considered necessary.

Signature & Name of members of Appellate Medical Board with date

1…….(Convenor)

2……..

3……

FORM-XI

(See rule 7(1) and rule 7(2))

NOTICE OF ACCIDENT OR DANGEROUS OCCURRENCE

E.S.I.C. Employer's Code number:

E.S.I.C. Insurance

Number of the injured person :

1. Name of employer :

2. Address of works / premises where the accident or dangerous Occurrence took place :

3. Nature of industry and LIN of the establishmen t:

4. Branch or department and Exact place where the accident or dangerous occurrence took place :

5. Name and address of the injured person :

6. (a) Gender :

(b) Age (at the last birthday) :

(c) Occupation of the injured person :

7. Local E.S.I.C. Office to which the injured person is attached :

8. Date, shift and hour of accident or dangerous occurrence :

9. (a) Hour at which the injured person started work on the day of accident or dangerous occurrence :

(b) Whether wages in full or part are payable to them for the day of the accident or dangerous occurrence :

10. (a) Cause or nature of accident or dangerous occurrence :

(b) If caused by machinery-

(i) Give the name of machine and the part causing the accident or dangerous occurrence :

(ii) State whether it was moved

by mechanical power at the time of accident or dangerous occurrence :

(c) State exactly what the injured person was doing at the time of accident or dangerous occurrence :

(d) In your opinion, was the injured person at the time of accident or dangerous occurrence -

(i) acting in contravention of provisions of any law applicable to them; or

(ii) acting in contravention of any orders given by or on behalf of their employer; or

(iii) acting without instructions from their employer?

(e) In case reply to (d) (i), (ii) or (iii)is in the

affirmative , state whether the act was done for the purpose of and in connection with the employer's trade or business. :

11. In case the accident or dangerous occurrence took place while travelling in the employer's transport, state whether-

(a) the injured person was travelling as a passenger to or from their place of works; :

(b) the injured person was travelling with the express or

implied permission of their employer; :

(c) the transport is being operated by or on behalf of the employer or some other person by whom it is provided in pursuance of arrangements made with the employer; and :

(d) the vehicle is being/not being operated in the ordinary course of public transport service :

12. In case the accident or dangerous occurrence took place while meeting emergency, state-

(a) its nature; and

(b) whether the injured person at the time of accident or dangerous occurrence was employed for the purpose of their employer's trade or business in or about the

premises at which the accident or dangerous occurrence took place. :

13. Describe briefly how the accident or dangerous occurrence took place :

14. Names and addresses of witnesses : (1)
(2)

15. (a) Nature and extent of injury(e.g. fatal, loss of finger, fracture of leg, scald, scratch followed by sepsis, etc.) :

(b) Location of injury (e.g. right leg, left hand, left eye, etc.)

16. (a) If the accident or dangerous occurrence was not fatal, state whether the injured person

was disabled for
more than 48
hours :

(b) date and time when the injured person returned to work: :

17. (a) Physician, dispensary or
hospital from whom or which
the injured person
received or is receiving treatment :
(b) Name of dispensary/panel doctor
elected by the injured person :

18. (a) Has the injured person died ? :

(b) If so, date of death :

I certify that to the best of my knowledge and belief the above particulars are correct in every respect.

Signature and Name and Designation of owner/ employer /manager/agent

Date of
dispatch of
report :
Place:

FORM-XII

(See rule 71)

NOTICE OF PERIODS OF WORK

Name of the Establishment……Place……District……

Periods of work Groups, Relays	Men												Women												Description of Groups, Nature of work	Remarks
	Total no. of men employed												Total no. of women employed													
	A			B			C			D			E			F			G			H				
	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3	1	2	3		

On working days

From ..
To ..
From ..
To ..
From ..
To ..

On partial
Working days

From ..
To ..
From ..
To ..

Date on which this notice is first exhibited :

Signature of employer :

Date :

FORM-XIII

(See rule 72(1)(i))

EMPLOYEE REGISTER

(The register may also be maintained ~~in~~ electronically capturing, inter-alia the following details)

Name of Establishment:		
Name of the Employer/owner:		
PAN/TAN of the Employer		
Registration Number of the establishment (Labour Identification Number (LIN) shall be the Registration Number of the Establishment		
To be maintained for all employees of the establishments		
1.	Employee Code	
2.	Name	
	Middle Name	
3.	Surname	
4.	Gender	
5.	Father's/Mother's/ Spouse's Name	
6.	Date of Birth	
7.	Place of Birth	
8.	Nationality	
9.	Education level	
10.	Date of Joining	
11.	Designation	
12.	Category (unskilled, semi-skilled, skilled or highly skilled)	
13.	Type of employment (P/T/FT/T/B)**	
14.	Mobile Number	

15.	Universal Account Number (UAN)	
16.	PAN	
17.	Nominee (To be filled on the basis of Nomination form)	
18.	EPS/NPS	
19.	Details of Family	
20.	Details of Posting	
21.	Pay	
22.	Promotion	
23.	ESIC ~~IP~~ Insurance No.	
24.	Aadhaar number	
25.	Bank A/c No.	
26.	Bank	
27.	Branch(IFSC)	
28.	Present address	
29.	Permanent address	
30.	Service Book No.	
31.	Date of Exit	
32.	Reason for Exit	
33.	Mark of Identification	
34.	Photo	
35.	Specimen Signature/Thumb Impression	
36.	Remarks	

Signature of Employee

** (Permanent/Temporary/Fixed Term/Trainee/Badli)

Signature of Employer

FORM-XIV

(See rule 72(1)(ii))

ATTENDANCE REGISTER-CUM-MUSTER ROLL

(The attendance register-cum-muster roll may also be maintained ~~in~~ electronically capturing, inter-alia the following details)

		For **the Month** of ……. , year 20.....
Name of Establishment:		
Name of the Employer/owner:		
Registration Number of the establishment (Labour Identification Number (LIN) shall be the Registration Number of the Establishment)		
1.	Serial Number	
2.	Employee Code	
3.	Name	
4.	Designation	
5.	Shift	
6.	Place of work/department/section	
7.	Date and timings of **In** and **Out**	
	1 2 3 4 5 6 7 8 9 10 11 12 13 14 15	
	16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31	
8.	Total number of days worked	
9.	Total number of overtime hours worked	
10.	Brief details of tour or assignment outside the work place, if any.	
11.	Signature of Register keeper*	

***Note:** Required in case register is maintained physically.

FORM – XV

(See Rule 72(1)(iii))

REGISTER FOR WAGES, OVERTIME AND DEDUCTIONS

(The register may also be maintained electronically capturing, inter-alia the following details)

Name of Establishment:		
Name of the Employer/owner:		
PAN/TAN of the Employer		
Registration Number of the establishment (Labour Identification Number (LIN) shall be the Registration Number of the Establishment)		
Wage Period from dd/mm/yyyy to dd/mm/yyyy (Monthly/Fortnightly/Weekly/Daily/Piece Rated)		
1.	Serial Number	
2.	Employee Code Number	
3.	Name of the employee	
4.	Designation	
5	Department	
6	Duration of Payment of wages (Monthly/Fortnightly/Weekly/Piece rated)	
7	Wage Period from- to	
8	Total number of days worked during the wage period	
9	Total overtime hours worked or overtime production in case of piece workers	
	Rate of Wage	
10	a)Basic	
11	b)DA	
12	c)Other allowance	
	Amount of wages earned	

13	Basic	
14	DA	
15	Allownaces	
16	Overtime	
17	Total wages earned	
	Deductions	
18	EPF	
19	ESIC	
20	Society	
21	Income Tax	
22	Insurance	
23	Advances	
24	Recovery of Fine	
25	Recovery on amount of damages/losses	
26	Total deductions	
27	Others	
28	Net Payment	
29	Date of Payment	
30	Receipt by employee/Bank Transaction ID	
31	Nature of acts and omissions for which fine imposed with date	
32	Amount of fine imposed	
33	Damage or loss caused to the employer by neglect or default of the employee	
34	Signature of Employer/Employer Representative*	

***Note: Required in case register is maintained physically**

FORM – XVI

(See rule 72(2))

Wage slip

Date of issue:				
Name of the Establishment				
Address:.....			Period:.....	
1.	Name of the Employee:			
2.	Father's/Mother's/Spouse's Name:			
3.	Designation:			
4.	UAN:			
5.	Bank Account Number:			
6.	Wage period:			
7.	Rate of wages payable	a) Basic	b) D.A.	c) other allowances
8.	Total attendance/unit of work done:			
9.	Overtime wages			
10.	Gross wages payable			
11.	Total deductions	a) PF	b) ESI	c) Others
12.	Net wages paid			
Employer/Pay-in-charge signature*				

***Note: Required in case register is maintained physically.**

FORM-XVII

[See rule 72(5) r/w rule 74]

ANNUAL RETURN

FOR THE YEAR …….ENDING 31st December.

Instructions for filling up the Annual Return

(1) This return shall be filled-up and furnished on or before the 28th or 29th day of February every year.

(2) This return consists of two parts i.e. Part-I , which shall be filled up by all establishments.

(3) Part-II shall be filled-up only by the establishments that are Mines in addition to Part-I.

(4) The terms "establishment" and "mines" shall have the same meanings as assigned to them in the Occupational Safety, Health and Working Conditions Code, 2020.

(5) This return shall be filled-up in the case of contractor or manpower supplier who has engaged more than 50 workers and in the case of mines, even where one worker was employed during the relevant period.

Applicable to All Establishments - Part-I

A. General Information:

Sl. No.			Instructions for filling the column
1.	Labour Identification Number		EPFO, ESIC, MCA, MoLE (LIN)
2.	Period of the Return	From - To-	Period should be calendar year
3.	Name of the Establishment		
4.	Email ID (employer)		
5.	Telephone No. (employer)		
6.	Mobile number (employer)		
7.	Premise name		
8.	Sub-locality		
9.	District		
10.	State		

11.	Pin Code		
12.	Geo Co-ordinates		
B(a).	**Hours of Work in a day**		
B(b).	**Number of Shifts** **Number of hours in a shift**		

C. Details of Manpower Deployed

Details	**Directly employed**				**Employed through Contractor**				**Grand Total**
Skill Category	**HighlySkilled**	**Skilled**	**Semi-Skilled**	**Un-Skilled**	**Highly Skilled**	**Skilled**	**Semi-Skilled**	**Un-Skilled**	
(i) Maximum No. of employees employed in the establishment in any day during the year	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	
(ii) Average No. of employees employed in the establishment during the year	No. to be indicated	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	
(iii) Maximum number of Migrant Worker during the year (Section 59 of OSH&WC Code)	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	M/F/T	
(iv) Number of fixed term employee engaged	M/F/T	M/F/T	M/F/T	M/F/T					

D. Details of contractors engaged in the Establishment:

Sl. No.	Name with LIN of the Contractor	No. of Contract Labour Engaged

E. Details of various Health and Welfare Amenities provided.

Sl. No.	Nature of various welfare amenities provided	Statutory (specify the statute)	Instructions for filling

1.	Whether facility of Canteen provided (as per section24(v) of OSH&WC Code, 2020)	Tick yes or no in the box and not applicable	Applicable to all establishments wherein hundred or more worker including contract labour were ordinarily employed
2.	Crèches(as per section 67of Code on Social Security Code, 2020 and section 24 of the OSH&WC Code 2020)	Tick yes or no in the box and not applicable	Applicable to all establishments where fifty or more workers are employed
2a	If 2 above is not given than whether Crèches allowance under Rule.. of Social Security Code given.	Tick yes or no in the box and not applicable	Reference rule.. on Social Security
3.	Ambulance Room(as per section 24(2)(i) of OSH&WC Code, 2020)	Tick yes or no in the box and not applicable	Applicable to mine, building or other construction work wherein more than five hundred workers are ordinarily employed
4.	Safety Committee (as per section 22(1) of OSH&WC Code, 2020.	Tick yes or no in the box and not applicable	Applicable to establishments and factories employing 500 workers or more, factory carrying on hazardous process and BOCW employing 250workers or more, and mines employing 100 or more workers.
5.	Safety Officer (as per section 22(2) of OSH&WC Code, 2020)	No. of safety officers appointed	In case of mine100 or more workers, in case of BOCW 250 or more workers and in case of dock work 500 or more workers are ordinarily employed.
6.	Qualified Medical Practitioner (as per section12 (2) of OSH&WC Code 2020.	No. of Qualified Medical Practitioner appointed.	There is no specification for minimum number of Qualified Medical Practitioner employed in establishment. However, this detail is required to have data on occupational health.

F. The Industrial Relations:			**Instructions for filling**
1.	Is the Works Committee has been functioning.(Section 3 of IR Code, 2020)	Yes/No and not applicable	Industrial establishment in which 100 or more workers are employed
(a)	Date of its constitution.		
2.	Whether the Safety Redressal Committee constituted (Section 4 of IR Code, 2020)	Yes/No and not applicable	Industrial establishment employing 20 or more workers

3.	Number of registered Unions in the establishments.					
4.	Whether any negotiation union exist(Section14 of IR Code,2020)				Yes/No	
5.	Whether any negotiating council is constituted (Section 14 of IR Code, 2020)				Yes/No	
6.	Number of workers discharged/dismissed, retrenched or whose services were terminated during the year:					
	Dismissed	**Retrenched**	**Discharged /Terminated or Removed**		**Grand Total**	
7.	**Man-days lost during the year on account of**					
Sl. No.	Reasons		Period /Date	No. of man-days lost		
(a)	Strike					
(b)	Lockout					
8.	**Details of retrenchment / lay off**					
Sl. No.	No. of persons retrenched during the period	Details of payment paid to retrenched employees	No. of workers laid off during the period	No. of man-days lost due to lay-off		Applies on industrial establishment employing 300 or more workers

G. Details pertaining to maternity benefit:				
No. of female employees	No. of female employees availed maternity leave	No. of female employees paid medical bonus	No. of deduction of wages, if any made from female employees	

H. Details of payment of bonus:			
Sl. No.	No. of employees covered under the Bonus provision	Total amount of bonus actually paid	Date on which the Bonus paid

I. Details of accidents, dangerous occurrence and notifiable diseases:				
Sl. No.	Total number of accidents by which a person injured is prevented from working for a period of 48 hours or more as per section 10 of the OSH&WC Code, 2020.	Total number of fatal accidents and names of the deceased as per Section 10 of the OSH&WC Code, 2020.	Total number of Dangerous Occurrences as defined under Section 11 of the OSH&WC Code,2020	Total number of cases of Notifiable Diseases specified in Third Schedule of the OSH&WC Code, 2020 along with the details of affected persons

J. Man days and production lost due to accidents / dangerous occurrences			
Sl. No.	**Accident/Dangerous Occurrence**	**Man days lost**	**Production Lost**

[See rule 72 r/w rule 74]

Part II (For Mines)

A. General information		
1.	Establishment Name	
2.	Name of Company/ Name of Owner	
3.	Type of organization (drop down)	PSU Central/ PSU State/ Private/
4.	Type of ownership (drop down)	Firm/Association/Individual/Partnership/Company
5.	Type of Mineral (drop down)	Coal/Metal/Oil
6.	Name of Mineral	
7.	Type of Mine (drop down)	Belowground/ Opencast/ Aboveground/Mixed/OffShore/OnShore
8.	Date of opening	To be filled for first time
9	Mine Code	To be filled for first time
10.	Date of closing (if any)	NA/ Calendar to be given
11.	Date of reopening (if any)	NA/ Calendar to be given
12.	Depth of working in mts.	Maximum Depth: Minimum Depth:

B. Statutory personnel employed in the mine (as on 31st December)

Sl. No.	Designation as per Code	Number of Statutory Persons required	Number of Statutory Persons employed
1.			

C. Method of Working vis-a-vis Safety Parameters

1	Name of Method (Specify the name) (as per drop down menu)		
2	Quantity of mineral Produced in Cu.m./Tonne		
3	Quantity of Waste/overburden removed in Cu.m./Tonne		
4	Stage of Working (as per drop down menu)	Development/Extraction/Mixed	
5	Permissible Void in Cu.m.		For extraction stage
6	Actual Void in Cu.m.		For extraction stage
7	Area of overhang		For extraction stage
8	Maximum Inflammable gas released in Cu. Meter per ton of coal produced		For Development stage
9	Overall Pit slope		For Opencast mines
	Individual entry for each Pit		
10	Overall dump slope		For Opencast mines
	Individual entry for each Dump		
11	Area of fire in Sq. m.		
12	Length of embankment required to be provided against the water body		
13	Length of embankment provided against the water body		
14	Length of fencing required/provided as per statute		
15	No. of opening required to be sealed in case of abandoned mines:		
16	No. of Openings sealed in case of abandoned mines:		
17	Number of Mock drills conducted and date of same with coverage of employees		
18	No. of Oil/Gas wells: under drilling/ under production/ under work over (as per drop down menu)		For Oil and gas mines
19	No. of wells where production discontinued		For Oil and gas mines
20	If Yes to pt. 19 above, Action taken		
21	Action Taken in respect of Wells where production has been discontinued		For Oil and gas mines

22	Maximum Quantity of explosive used in any day (in Kgs.)		For all types of mine
23	Whether Building or Structures not belonging to owner lies within danger zone?	Yes/No/NA	For Coal & Metalliferous Mines
24	Aggregate HP/KW of machineries installed/deployed in the mine for the year		For all types of mine

D. Medical examinations - Initial/Periodical (IME/PME):

During the year, total number of persons including contractual workers:

Particulars	Total No. of Persons
Undergone IME	
Undergone PME	
Declared medically Temporary unfit	
Given alternate Employment due to Medical unfitness	
Terminated on account of being medically unfit	

E. Details of Vocational training imparted:

During the year, total number of persons including contractual workers:

Particulars	Total No. of Persons
Imparted Basic Vocational Training	
Imparted Refresher Training	
Imparted special Training	

F. Details of Accident, Dangerous Occurrence and Occupational Diseases :

(1) Details of Accidents and Dangerous Occurrences:

Sl. No.	Date of Accidents/Dangerous Occurrences	No. of persons killed	No. of persons received Serious Bodily Injury	Number of persons injured (Excluding Serious Bodily Injury) and thereby prevented from working for a period of 48 hours or more	Nature of Occurrence	Mandays lost
1.						

(2) Details of Occupational diseases:

Sl. No	Notified Disease	No. of cases
1		

G. Details of Safety Management Plan:

(a) Safety Management Plan Prepared: (Yes/No/NA)
(b) Date of Submission : Date
(c) Last date of review of Safety Management Plan: Date
(d) Principal Hazards Identified:

Sl. no.	List of Principal hazards identified	Principal hazard Mitigation date	Principal hazard not mitigated till 31st December	Reasons for failure to mitigate the same
1.				

H. Mines Rescue Station: (For Belowground Mines Only)

A. For Mine: (To be filled by mine owner)

(i) Address of the Rescue Station with Geo-coordinates serving the mines;
(ii) Distance of the Rescue Station from mine opening; -----(in KM)
(iii) Whether a mine Rescue Station has been established by the mine ? (Yes/No)

Mines Rescue Station: (For Belowground Mines Only)
(For Rescue Station)

For Mine Rescue Station **(**To be filled by the Superintendent of the Rescue Station)

(i) Name of the owner of the mine at which the Mine Rescue Station is located:

(ii) Address of MRS:

(iii) Name of the Superintendent :

(iv) Details of the mine served by the Rescue Station:

Sl. No.	Name of the Mines	Distance of the Mine from MRS (in Kms)

(v) Details of Personnel Deployed at Rescue Station;

Sl. No.	Designation as per Code	Number of statutory persons required	Number of statutory persons employed

(vi) Details of Equipment/Apparatus :

Sl. No.	Type of Equipment/Apparatus required	Numbers of Equipment/Apparatus available

(vii) Particulars of Emergency Attended:

Sl.No.	Name of the Mine	Nature of Emergency	Response Time (time taken by rescue services to attend the emergency)	Time taken for Rescue & Recovery	Action Taken

(viii) Additional Information :

(a) Number of Rescue Rooms :

(b) Number of Rescue Trained Persons Required :

(c) Number of Rescue Trained Person available :

(d) Whether Canteen facility exist or not? (Yes/No):

Certified that the tables are duly filled in and the information and figures furnished therein are correct to the best of my knowledge.

Signature of Employer/Occupier/Owner/Agent/Manager

Place:

Dated:

PART III

[See rule 98(9)]

ANNUAL RETURN period ending 31st December

(to be submitted by the principal employer on Shram Suvidha Portal)

1. Name of the principal employer:
2. Name of the establishment:
3. Registration number (LIN) of the establishment:
4. Details of the Contractors, wages paid, etc.:

Sl.	Month	Name and address of the contractors	LIN of the contractor	Name of the work	Maximum number of contract labour employed	Amount paid against wage bill (if applicable) to the contractor (including EPF, ESIC, Bonus etc.)	Date of payment of wage bill (if applicable)	Amount of the wages paid directly to the contract labour by Principal Employer (in case the contractor fails to pay)	Date of payment of wages paid directly to the contract labour by Principal Employer (in case the contractor fails to pay)	Remarks

Signature of the principal employer

Date:

PART IV
(see rule 72(8))

Shram Shuvidha Portal
Ministry of Labour and Employment
Self-Declaration form for EPFO/ESIC Contribution **Year: ___**

PAN No: LIN:(*Auto-Populated*)

EPF Code No. (Auto-Populated)(Editable): Branch Code Nos. (Auto-Populated)(Editable):	ESI Code No.(Auto-Populated)(Editable): Sub Code Nos. (Auto-Populated) (Editable):

Statement of salary/wages and contribution in r/o of EPFO

1	2	3	4 =(2+3)	5	6	7	8=(5+7)	9	10	11	12=(9-10)	13
Month & Year	Total No. of employees eligible for membership under SS Code/Scheme	Total no. of employees not eligible for membership under SS Code/scheme	Total no. of employees employed	Total Wages paid to employees eligible for membership under SS Code/scheme	Total EPF Wages paid to employees eligible under SS Code/scheme	Total Wages paid to employees not eligible under SS Code/scheme	Total wages paid to all employees	Total Contribution Payable (Based on column 6)	Total contribution paid	Date of payment	Balance to be paid	No. of employees to whom dues to be paid
04/20..												
05/20..												
06/20..												

07/20..												
08/20..												
09/20..												
10/20..												
11/20..												

12/20..												
01/20..												
02/20..												
03/20..												

- *Upload Salary sheet of contribution details of all members as per* ***Form-VIIIB(Register of Wages, Overtime & Dedcution)***

	Details of Employees non-enrolled but eligible to be member:							
Sr. No	Name of Employee	Gender	Aadhaar Number	Father's Name	Date of Birth	Date of Joining	Date of Exit (If already left)	Wages paid

Contractors details:						
S.No.	Name & Address of the contractor	EPF code No.	ESI code No.	Nature of work	Maximum Number of employees employed during any day	Total payment made during the FY

*<*contractor details may be pre-filled from CLC Licence data if available with option to add other contractors>*

Details of tax benefit claimed by employer by way of contribution towards a recognized provident fund or an approved superannuation fund u/s 36(1)(iv) of Income Tax Act:

Financial Year	Contribution	Tax benefit

UPLOAD DCOUMENTS:

S. No.	DOCUMENT Name	*<upload field in portal>*
1.	Balance Sheet*	• *<upload field for Balance Sheet of the financial year>*
2.	Form 26AS*	• *<upload field for Form 26AS of the financial year>*
3.	Form 26Q*	• *<upload field for Form 26Q of the financial year>*

**mandatory field*

(Signature of the Employer/authorized representative)

***Section 36(1)(iv) of Income Tax Act:**

any sum paid by the assessee as an employer by way of contribution towards a recognised provident fund or an approved superannuation fund, subject to such limits as may be prescribed for the purpose of recognising the provident fund or approving the superannuation fund, as the case may be; and subject to such conditions as the Board may think fit to specify in cases where the contributions are not in the nature of annual contributions of fixed amounts or annual contributions fixed on some definite basis by reference to the income chargeable under the head "Salaries" or to the contributions or to the number of members of the fund;

FORM XVIII

[See rule 72(5) and 98(7)]

Half Yearly Return (January to June / July to December) to be submitted electronically by the contractor to the Deputy Chief Labour Commissioner (Central)

1. Name and address of the contractor:
2. Name and address of the principal employer and LIN:
3. LIN of the contractor:
4. Licence number of the contractor (if applicable):
5. Name of the contract work with location/station:
6. Details of the number of Contract Labour, Wages Paid etc.:

Sl. No.	Months	Number of Contract Labour employed	Total amount of wages paid in a month	Overtime	Bonus	Date and amount of Wage bill received by contractor from Principal Employer	ECR number of ESIC	ECR number of EPF	Wages paid by 7th of the month or due date as applicable Yes/No	Remarks
	January									
	February									
	March									
	April									
	May									
	June									

Signature of the contractor:

Date:

FORM-XIX

(See rule 75)

REGISTER OF ACCIDENTS AND DANGEROUS OCCURRENCES

Name of injured/deceased person (if any)	Date of accident or dangerous occurrence	Date of report to Inspector-cum-Facilitator	Nature of accident or dangerous occurrence	Date of return of injured person to work	Number of days the injured person was absent from work	Signature of employer/representative
1	2	3	4	5	6	7

FORM-XX
(See rule 76)
REGISTER FOR LEAVE WITH WAGES

Part I - Adults
Part II - Adolescents

Establishment: Name of worker :

Department : Father's Name:

Sl. No	Sl.no. in the register of workers	Date of entry into service	Interruptions					Leave due with effect from	Whether leave not desired during the next 12 months	Date from which the worker is allowed leave	Wages for Leave Paid in	Discharged worker		Leave	Remarks
			Sickness and accidents	Authorised Leave	Lock Out or Legal Strike	Involuntary unemployment	Others					Date of Discharge	Date and amount of payment made in lieu of leave due	Accumulated carry forward leave	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16

Note: - Separate page shall be allotted to each worker

Signature of Employer/Register Keeper/Representative

FORM-XXI

[See rule 87, rule 88(1) and rule 96(1)]

Application for Grant of Licence/ Renewal of Licence/Amendment of Licence (including common/single licence)
Government of India, Ministry of Labour and Employment
ESTABLISHMENT PROFILE:
Labour Identification Number Date
Acknowledgement Number: **……** Date of Application: **…….**
I. Particulars of Establishment for which licence required:
1. Name of Establishment:
2. Address of establishment
(a) Head Office address along with email Id :
(b) Corporate office address along with email Id:
3. Telephone Number :
4. Activity as per National Industrial Classification : (Select all applicable activities given)
5. Details of selected NIC Code:
6. Nature of work carried on in main establishment :
7. Identifier of the Establishment : (Select) : e-sign/digital sign
II. Details of Employer:
1. Full Name of Employer: ……relationship with establishment.
2. Full Address of Employer:
3. Email Id of employer:
4. Mobile No. of employer:
III. Particulars of the Contract Labour to be employed / is employed (If licence is required work wise)

Locations of worksites	Name of works	Activity as per national industrial classification	Date of commencement	Date of completion	Name of Establishments in which contract labour is/proposed to be employed	Name Address, email id of the Site Incharge
1	2		3	4	5	6

5. Maximum number of workmen proposed to be employed on the establishment on any date:
6. Amount of Licence Fee: **INR** **(Transaction Id :)**
7. Amount of Security Deposit: **INR** **(Transaction Id :)**
IV. DETAILS OF ESTABLISHMENTS FOR WHICH COMMON LICENCE REQUIRED , (IF APPLYING FOR)

Type of Establishments	Name & Address of establishment	(i)Nature of work carried out in the establishment (ii) Activity as per National Ind'l classification	Date of commencement	Permanent establishment or probable date of completion	Maximum number of contract labour employed/ proposed to be employed	
1	2	3	4	5	6	
V. DETAILS OF ESTABLISHMENTS FOR WHICH SINGLE LICENCE IS REQUIRED (IF APPLYING FOR)						

Name of States in which the establishments are situated	Name of each work	Maximum number of labour will be/is employed	Date of commencement	Permanent establishment or probable date of completion	Registration number, if obtained, then details thereof
1	2	3	4	5	6

Signature of Contractor
(e-Sign/DSC)
Note: This is an online application summary applied on Shram Suvidha Portal or designated Portal.
APPLICATION FOR RENEWAL OF LICENCE
1. Licence No. Date :
2. LIN & PAN
3. Name and address of the establishment:
4. Date of expiry of previous licence :
5. Whether the licence of the employer/contractor was suspended or revoked:
6. Details of fees paid : (Enclose e-payment receipt):
Amount …. Date of payment :
E-sign /digital sign of the employer/contractor date:
APPLICATION FOR AMENDMENT OF LICENCE :
1. Licence No Date:
2. LIN & PAN
3. Name and address of the establishment:
4.Details for which amendment is sought :
(a). Maximum number of contract labour presently employed : When there is an increase in the maximum number of contract labour to be employed, the additional fee/security deposit required under law shall be deposited:
(b). Details of fees paid through e-payment date on which made :
(c). Other details requiring amendment in the licence issued (Necessary documents may be uploaded in support of change required)

E-sign /digital sign of the employer/contractor
Date of application.

Date:-
Place:-

FORM-XXII
(See rule 89(1) and rule 90(2))
PROFORMA OF LICENCE

Licence No. ---------- Reg. No. ---------- Date of Reg. ----------
Licence is hereby granted to ----------
for the premises known as ----------
situated at ----------
nature of work_____
for use as a establishment within the limits stated herein after, subject to provisions of the Occupational Safety, Health and Working Conditions Code, 2020, and the rules made there under.

The ---------- 20.. Issuing Authority

Sl.No.	Period of issue	Valid For	Fee	Date of Payment	Excess fee for late payment	Date of payment	Signature of the Issuing Authority
		Maximum number of Contract labour on any one day					

AMENDMENTS:

Year when Amended	Maximum number of Contract labour on any one day	Date of payment of amendment fee	Date of Payment	Signature of the Issuing Authority

E-sign /digital sign of the designated authority

FORM-XXIII

(See rule 100)

EXPERIENCE CERTIFICATE OF CONTRACT LABOUR

To whomsoever it may concern
1. Name of contractor/employer*:
2. LIN/PAN No. of the contractor/employer *:
3. Email Id of the contractor /employer *:
4. Mobile No. of the contractor/employer *:
5. Nature and location of work:
6. Name of principal employer*:
7. LIN/PAN No. of the principal employer :*
8. Email Id of the principal employer : *
9. Mobile No. of the principal employer :*
10. Name of the labourer*:
11. UAN / Aadhaar No.:
12. Mobile No. :
13. Serial Number in the employee register :
14. Registration number, date and name of the Board where the building or other construction work is registered as a beneficiary:
15. Period of employment:
16. Designation:
17. Work performed:
Seal and Signature of Contractor
*Strike off whichever is not applicable.

FORM-XXIV
(See rule 105)
Agreement between Producer and Audio-visual worker

This agreement is made on this day ..... month .....year..... between M/s ..... having office at .....(hereinafter referred to as the "Producer") on the first part and Shri/Smt/Kumari .....son/daughter/wife of Shri ..... residing at ..... (herein after referred to as the "audio-visual worker") on the second part. The terms 'Producer' and 'audio-visual worker' shall include their heirs, successors, administrators and legal representatives:

Now, therefore this agreement is made as follows:
1. That both the parties agree that the duration of this agreement shall be from the date hereof till the completion of the audio-visual production and this period shall not exceed ____ consecutive months.

2. That the audio-visual worker agrees to attend studio, location or work place, as the case may be, subject to the requirement of his previous engagement and on their confirmation, to perform their respective job punctually as and when he shall be required by a written intimation by the Producer or the person duly authorised by them in writing.

3. That inconsideration of the audio-visual worker's services, as aforesaid, the producer agrees to pay and the audio-visual worker agrees to receive a sum of Rs. .....(Rupees .....) payable as advance on signing of this agreement and the balance of Rs. .....payable in ..... equal installments.

4. That in the event of the audio-visual production being not complete within the stipulated period and the Producer still needing the services of the audio-visual worker to complete the audio-visual production, the producer agrees to pay and the audio-visual worker agrees to receive additional remuneration on pro-rata basis, payable in the same manner as stated in Clause 3 above, till the completion of the production.

5. That in case the assignment of the audio-visual worker is completed earlier than the period stipulated in Clauses 1 and 4 above, the producer shall settle the account of the audio-visual worker and pay the remaining balance of the agreement amount in full before the commencement of re-recording work/censor of the production, whichever is earlier.

6. That the audio-visual worker shall, if so required,

(a) attend the studios, location or work-place, as the case may be, earlier than the scheduled time of the shift, for preparatory work, and in that case, audio-visual worker shall be paid by the Producer extra wages at the rate of Rs. .....per hour or part thereof for such early attendance.

(b) continue to work beyond the working day, with one hour break and in that case, audio-visual worker shall be paid by the Producer extra wages at the rate of Rs..... for the work during the extended hours and refreshments, and transport facilities.

7. That the Producer shall provide transport and food or pay traveling allowances to and fro to report to duty and food allowance while on duty as are customary or fixed by bilateral arrangements between the Producer's and audio-visual worker's representative organizations.

8. That the Producer shall also pay for all travelling and accommodation expenses, fares, cost of food and such other allowances as are customary when the audio-visual worker is required to work on location outdoors.

9. That the Producer shall get the audio-visual worker insured for any injury or damage to such person including death caused by accident arising out of or in the course of their employment and/or during the period of their assignment under this agreement.

10. That where the Producer is prevented from proceeding with the production of the audio-visual by reason of fire, riot, natural calamity, order of the public authority or any other reason beyond their control :-

(a) he shall be entitled to suspend the operation of this agreement during the period of suspension of production in case the production is suspended. The producer shall serve notice in writing of such suspension on the audio-visual worker and shall pay all their dues up to the date of service of such notice. Upon resumption of work on the film, this agreement shall revive and shall remain valid for the period stipulated in Clause I excluding the period of suspension there from ; or

(b) he shall be entitled to terminate this agreement as from the cessation of production, in case the production ceases completely. The producer shall serve a notice in writing of such cessation on the audio-visual worker and make payment of all the amount due to the audio-visual worker at the time of termination.

11. That in case if the Producer desires to terminate this agreement before the expiry of its term for reasons other than misconduct in relation to performance of the audio-visual worker's duties or of their unwillingness to perform the services required under this agreement, the producer shall be entitled to do so only upon payment of the balance of the stipulated amount of the agreement. Only after such payment to the audio-visual worker, the Producer shall be entitled to employ another audio-visual worker in their place.

12. That the Producer shall have the right to terminate this agreement on ground of misconduct on the part of the audio-visual worker in relation to performance of their duties or their unwillingness to perform the service required under the agreement, upon payment to the audio-visual worker of the amount due at the time of termination, calculated taking into consideration the audio-visual worker's total work in the audio-visual and the work has completed till the date of termination of this agreement. Termination under this clause shall not be made unless the charges of the Producer against the audio-visual worker are proved before a forum comprising equal number of representatives of the Producers' Organisation and the audio-visual worker's Organisation to which the Producer and the audio-visual worker respectively may belong. The decision of the forum shall be binding on both the parties. The producer can engage another audio-visual worker for the job towards this agreement only after the forum has given a decision in favour of such termination and the audio-visual worker has been paid all his dues.

13. That in case of premature termination of this agreement, it shall be the option of the Producer whether or not to retain the work of the audio-visual worker in the audio-visual and at the same time, it shall be the option of the audio-visual worker whether or not to allow their name to go on the credit titles of the film.

14. That the Producer shall have the right to decide the manner of representing the audio-visual worker's personality on the screen, their clothes, make-up and hair-style and the audio-visual worker shall fully and willingly comply with the direction of the Producer in this regard, provided that the requirements of the Producer in this respect have been notified to the audio-visual worker and accepted by them.

15. That the audio-visual worker agrees to render their services to the best of their ability in such manner as the Producer or, at their instance, the Director of the audio-visual may direct and shall comply with all reasonable instructions that he may give for the production of the film.

16. That the audio-visual worker shall comply with all the regulations of the studio, location or work place as the case may be.

17. That the Producer shall not without the consent in writing of the audio-visual worker, assign or transfer the benefit of this agreement to any other person.

18. That the provisions of Chapter-III of Code on Social Security, 2020 (36 of 2020) shall be applicable to this agreement.

19. That the Producer shall not utilise the work of the audio-visual worker in any film, other than the audio-visual under this agreement, without prior permission of the audio-visual worker.

The parties have put their hands to this agreement on the date, month and year said above in the presence of each other and in the presence of the witnesses.

1. Witness Producer
   Name Address
2. Witness audio-visual worker Name Address

FORM-XXV
[See Rule 78]
IMPROVEMENT NOTICE

To,

Name of the Establishment
(Employer / Principal Employer / Contractor)
Address …….

Sub-Notice regarding contraventions observed under the OSH & WC Code, 2020, OSH &WC (Central) Rules, 2026, Regulations, Standards and Orders made thereunder, in respect of . ……. (Name of the establishment)

Sir / Madam,

(1) It is to inform that the undersigned conducted inspection of …… (name of the establishment), engaged in the work of …….. (name of work) located at ……. on …….. (date).

(2) The particulars of the establishment inspected and the contravention (s) of the provisions of the OSH&WC Code 2020, OSH &WC (Central) Rules, 2026, Regulations, Standards, Notifications and Orders made thereunder observed during inspections are annexed herewith.

(3) You are hereby directed to rectify the contraventions / irregularities observed during inspections and submit compliance report (through speed post / electronic mode / designated portal) within 30 days from the date of issue of this notice, failing which necessary action will be initiated as per the relevant provisions of the statute without making any further correspondence in this regard.

Yours faithfully,

Encl: As above.

Inspector-cum-Facilitator.

FORM- XXVI
[See rule 182(1)]
APPLICATION FOR COMPOSITION OF OFFENCE

1. Name of applicant :
2. Father's / Spouse name :
3. Address of the applicant :
4. Name of establishment:
5. Particulars of the offence:**….. ……**
   ……
   ……
6. Section of the Code under which the offence is committed :……..
7. Maximum fine provided for the offence under the Code :…….
8. Whether prosecution against the applicant is pending or not ……..
9. Whether the offence is a first offence or whether the applicant has committed any other offence prior to the offence. If yes, then, full details of such prior offence
   ……
   ……..
10. Any other information which the applicant desires to provide
    ……
    ……..

Applicant
(Name and signature)

Dated:

FORM-XXVII

[See rule 182(1)]

Notice to the employer for an offence committed under the provisions of the Code for the first time for composition of offences

Notice No…… **Date:**

On the basis of records and documents produced before me, the undersigned has reasons to believe that you, being the employer of the establishment…….. (Registration No…….), have committed an offence for the violation of provision of the Code or the Schemes or the Rules or the Regulations or the Standards framed thereunder as per the details given below:-

PART – I

1.	Name of the person:	
2.	Name and Address of the establishment :	
3.	Registration No. of the establishment:	
4.	Particulars of the offence:	
5.	Provisions of the Code/Scheme/Rules/Regulations under which the offence is committed:	
6.	Amount required to be paid for compounding of the offence:	
7.	Name and details of account for depositing the amount specified in serial no. 6:	

PART –II

In view of the above, you have an option to pay the entire amount mentioned at serial no. 6 in Part-I within fifteen days from the date of issue of this notice and return the application duly filled in Part – III of this notice.

In case the said amount is not paid within the specified time, necessary action for institution of prosecution shall be initiated without giving any further opportunity in this regard.

(Signature)
(Name and designation of Officer)

Date:
Place:
To:
……..(Employer/Establishment)
……(Name and registration number)
…….(Address)

PART – III
[See rule 182(2)]

Application under section 114 for composition of offence

Ref: Notice No…….. Date:

The undersigned has deposited the entire amount as specified at serial 6 of Part-I and the details of payment are given below with a request to compound the offences mentioned in Part-I.

8. Details of the compounding amount deposited (Copy of the electronically generated receipt to be attached):

9. Details of the prosecution, if any filed in respect of the violation of the above-mentioned offences:

10. Whether the present offence is a first offence or whether the applicant has committed any other offence prior to this offence, if so, then, full details of such offence:

11. Any other information which the applicant desires to provide:

Signature of the applicant
(Name and Designation)

Date:
Place:
To:
……..(Compounding Officer)
……(Name of the Office)
…….(Address)

PART – IV

[See rule 182(3)]

Composition Certificate

Ref: Notice No…….. **Date:**

This is to certify that the offence under sub-section ….. of section 114 in respect of which Notice No. Dated: _____ was issued to Sh/Smt. ……. (Applicant), the employer of ……. (name and registration number of the establishment) has been compounded on upon receipt of thefull amount of dRs …….. (Rupees _____) towards compounding of the offence, to the satisfaction of the requirements of the said notice.

(Signature)
Name and Designation of the Officer

Date:
Place:
To:
……..(Employer/Establishment)
…….(Name and registration number)
…….(Address)

[F. No. S-65025/01/2021-ISH.II]

ALOK CHANDRA, Senior Labour and Employment Advisor

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SARVESH KUMAR SRIVASTAVA
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Date: 2026.05.09 00:39:59 +05'30'

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಕುಸುಮ ಆರ್.ವಿ.)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-25

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 14 ಕೇನಿಪ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ:22.06.2026.

ದಿನಾಂಕ: 13.05.2026ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Coastal Shipping (Strategic Plan and National Database) Rules, 2026ನ GSR 361 (E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರುಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF PORTS, SHIPPING AND WATERWAYS

NOTIFICATION

New Delhi, the 13th May, 2026

G.S.R. 361(E).—Whereas the draft of the Coastal Shipping (Strategy and National Database) Rules 2026, was published as required by sub-section (1) of section 39 of the Coastal Shipping Act, 2025, (20 of 2025) vide notification of the Government of India in the Ministry of Ports, Shipping and Waterways, vide G.S.R. 910(E), dated the 19th December, 2025, in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), dated the 19th December, 2025, inviting objections and suggestions from all persons likely to be affected thereby before the expiry of the period of thirty days from the date on which copies of the said notification containing the draft rules were made available to the public;

And whereas copies of the said notification were made available to the public on the 19th December, 2025;

And whereas, the objections and suggestions received have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by sub-section (1) and clauses (e), (f), (g), (h) and (q) of sub-section (2) of section 39 read with section 6, clause (h) of sub-sections (2) and (4) of section 8 and sub-section (1) of section 9 of the Coastal Shipping Act, 2025 (20 of 2025), the Central Government hereby makes the following rules, namely: —

CHAPTER I

PRELIMINARY

1. **Short title and commencement**. — (1) These rules may be called the Coastal Shipping (Strategic Plan and National Database) Rules, 2026.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Application. — (1) These rules shall apply to. —

(a) every vessel, engaged or intending to engage in coasting trade within the coastal waters of India in accordance with section 3 of the Act;

(b) the licensee under the Act or in case of an Indian vessel, the owner or master or charterer or operator; and

(c) any relevant stakeholder involved in handling of a vessel engaged in coasting trade or plying of a vessel in coastal waters, for the purpose of verification or exchange of information about any such vessel.

(2) Nothing in these rules shall apply to—

(a) any vessel of the Indian Navy, Coast Guard, or any other vessel employed for defence, customs, or sovereign purposes; and

(b) any vessel operating exclusively within inland waters of India.

3. Definitions. — (1) In these rules, unless the context otherwise requires, -

(a) "Act" means the Coastal Shipping Act, 2025 (20 of 2025);

(b) "Chairperson" means the Chairperson of the committee as specified under clause (a) of sub-section (3) of section 8 of the Act;

(c) "port" means a port as defined under the Indian Ports Act, 2025 (24 of 2025);

(d) "portal" means the secure electronic platform hosted on a domain authorised by the Government of India for the operation of the National Database of Coastal Shipping including all user interfaces, data entry modules, and verification systems associated therewith;

(e) "route" means the designated path of a coastal voyage between specified ports or terminals, including intermediate port calls;

(f) "Schedule" means Schedules annexed to these rules;

(g) "secretariat" means Secretariat of the committee as specified in rule 12 of these rules;

(h) "stakeholder" means any person, authority or entity that is required to provide, verify, use or exchange information for the purposes of creation, maintenance or updating of the portal, and includes—

a. Major Port Authorities;
b. State Maritime Boards;
c. maritime security and enforcement agencies;
d. vessel owners, vessel operators and their authorised representatives;
e. seafarers, masters and crew members, to the extent relevant; and
f. any other person or body authorised by the Director-General for the purposes of section 9 of the Act.

(i) "voyage" means the passage between the port or place of departure of the vessel and her final port or place of arrival, including the activities within the port; and

(j) "voyage report" means and includes a voyage commencement report and a voyage completion report submitted through the portal as per rule 4, containing particulars of commencement of voyage of vessel, voyage completion and other related operations of a vessel.

(2) Words and expressions used in these rules and not defined herein, but defined in the Act shall have the meanings respectively assigned to them in the Act.

CHAPTER II

Reporting Requirements

4. Voyage reporting requirements. — (1) Every vessel, including an Indian vessel engaged in coasting trade shall, in accordance with section 6 of the Act, submit information related to its voyage to the Director-General in the voyage report through the portal.

(2) For the purposes of sub-rule (1), the licensee under the Act or in case of an Indian vessel, the owner or master or charterer or operator, shall submit the following voyage reports, namely:–

(a) a voyage commencement report, as per Schedule I, not later than twenty-four hours prior to the scheduled departure of the vessel from first port of call; and

(b) a voyage completion report, as per Schedule II, within twenty-four hours of arrival at the last port of call.

(3) Each voyage report submitted as specified in sub-rule (2) shall also include the following, namely: —

(a) particulars of any incident affecting the safety of navigation, the environment or the cargo during the voyage, for which no information has been submitted under any provisions of the Merchant Shipping Act, 2025 (24 of 2025);

(b) details of compliance with any direction issued or information sought under section 35 of the Act in relation to the voyage; and

(c) such other information as the Director-General may require under clause (d) of section 6 of the Act.

(4) Where any voyage report submitted under this rule is found to contain an error, omission or misstatement, the licensee under the Act or in case of an Indian vessel, the owner or master or charterer or operator, shall rectify such error, omission or misstatement, by submitting a revised voyage report:

Provided that such revised voyage report shall be submitted within one week from the date of,—

(a) providing an immediate intimation to the Director-General upon finding out about such error, omission or misstatement by the licensee under the Act or the owner or master or charterer or operator of the Indian vessel; or

(b) receiving an intimation from the Director-General about such error, omission or misstatement being found out:

Provided further that submission of such a revised voyage report shall not be permitted after the expiry of thirty days from the date of submission of the original voyage report, without the prior written approval of the Director-General and for reasons to be recorded in writing therein.

5. Amendment of voyage commencement report on change of route.— Where, after submission of a voyage commencement report, there occurs any change to the authorised route or intended voyage, whether necessitated by weather, navigational safety, port closure, operational exigency or any other cause, the licensee under the Act or in case of an Indian vessel, the owner or master or charterer or operator, shall forthwith submit the amended voyage commencement report on the portal to reflect such incident or change of route.

CHAPTER III

NATIONAL COASTAL AND INLAND SHIPPING STRATEGIC PLAN

6. Preparation, publication and revision of the strategic plan. — (1) The Strategic Plan prepared under sub-section (1) of section 8 of the Act shall be published on the official website of the Ministry of Ports, Shipping and Waterways and the portal.

(2) The Strategic Plan shall be available for public access and stakeholder reference, and the Central Government may invite comments or suggestions for its subsequent revision or review.

7. Scope and purpose of the Strategic Plan. — The Strategic Plan shall include the following information in addition to the information specified under clauses (a) to (g) of sub-section (2) of section 8 of the Act, namely: -

(a) details of bottlenecks affecting efficiency and competitiveness of coastal shipping operations;
(b) framework for integration of digital and single-window platforms for coastal and inland shipping;
(c) roadmap of long-term infrastructure development for coastal berths, availability of reception facilities, terminals and multimodal connectivity; and
(d) any other information as may be determined by the committee.

8. Nomination and tenure of certain members of the committee.— (1) The members of the committee referred to in clauses (f), (g) and such other person having expertise in the field of costal trade, mercantile and marine trade or maritime sector under clause (h) of Sub-Section (3) of Section 8 as may deem necessary shall be nominated by the Central Government for a term of two years.

(2) Any member nominated under sub-rule (1), shall also be eligible for re-nomination for one additional term.

(3) A member nominated under sub-rule (1), may resign from his membership by submitting his resignation in writing under his hand, addressed to the Chairperson, and such resignation shall take effect from the date of its acceptance.

(4) Any member nominated under sub-rule (1), may be removed, if, in the opinion of the Central Government, such member, —

(a) has ceased to represent the category for which he was nominated; or
(b) has absented himself from three consecutive meetings of the committee without sufficient cause; or
(c) is unable to discharge his functions effectively or has otherwise acted in a manner prejudicial to the objectives of the committee.

9. Vacancies. — (1) Any vacancy occurring in the membership of the committee by reason of death, resignation, removal or otherwise shall be filled by nomination in the same manner as of the original appointment.

(2) A member nominated to fill a casual vacancy shall hold office for the remainder of the term of the member in whose place such member is nominated.

10. Time and place of meetings. — (1) The committee shall meet at least twice in a calendar year, or at such intervals as the Chairperson may deem necessary, at the office of the Directorate General of Shipping or at such other place, as may be decided by the Chairperson;

(2) Meetings of the committee may be held in the physical, virtual or hybrid mode, as the Chairperson may decide, having regard to administrative convenience and exigencies of time.

(3) The Chairperson may, on his own motion or upon a written request made by not less than one-fourth of the total members, convene a special meeting of the committee to consider any matter of urgency or special importance related to coastal shipping strategy or policy.

(4) The notice of each meeting, containing, date, time and venue along with the agenda and background papers, shall be circulated by the Secretariat of the committee at least fifteen days prior to the date of the meeting:

Provided that, in case of urgency, the Chairperson may permit a shorter notice period of not less than three days prior to the date of the meeting.

11. Quorum and procedure. — (1) The quorum for a meeting shall not be less than one-fourth of the total members which shall include each of the following, namely: —

(a) Chairman, Inland Waterways Authority of India;
(b) one representative from any State Maritime Board or any other body responsible for the administration of ports other than major ports; and
(c) one representative of either shipowners or seafarers.

(2) The Chairperson shall preside at every meeting of the committee.

(3) In the absence of the Chairperson, a member nominated by him shall preside over the meeting.

(4) The nominated under sub-rule (3) to preside over a meeting, shall exercise all the powers and perform all the functions of the Chairperson for that meeting.

(5) Decisions of the committee shall, as far as possible, be taken by consensus.

(6) All decisions at the meetings of the committee, will be made through the majority vote of the members present and voting and in case the members cannot arrive at a majority on a matter, the Chairperson shall exercise a casting vote.

(7) The Secretariat shall prepare and circulate the minutes of each meeting within two days, which shall be approved by the committee in the next meeting, and submitted to the Central Government thereafter.

(8) No proceedings of the committee shall be invalidated solely because of vacancies or any defects in nomination of its members.

(9) All proceedings of the committee shall be confidential, unless decided otherwise by the committee.

12. Secretariat of the committee. — The Directorate General of Shipping shall act as the Secretariat to the committee and shall provide all administrative, technical and logistical assistance necessary for its functioning.

13. Travelling allowance and sitting fee for nominated members. — The nominated members of the committee shall be entitled to a travelling allowance and sitting fee as specified under Schedule III.

CHAPTER IV

PORTAL FOR THE NATIONAL DATABASE OF COASTAL SHIPPING

14. Name and purpose of the portal. — (1) The portal referred to in sub-section (1) section 9 of the Act shall be called the National Database of Coastal Shipping Portal.

(2) The National Database of Coastal Shipping Portal shall serve as the central data repository for coastal shipping as per the provisions of the Act.

15. Information to be published on the portal. — In addition to the information referred to in sub section (2) of section 9 of the Act, the following data shall also be made available on the said portal for public access, namely: -

(a) quantity and type of cargo handled by the ports in reference to clause (a) of section 6 of the Act;
(b) voyage trip and vessel statistics such as number of voyages completed, active vessels and average turnaround time;
(c) origin-destination pairs by commodity of cargo and type of flag of vessel.

16. Integration with other administrative systems. — (1) For the purpose of public accessibility, the said portal shall be integrated and made interoperable with other relevant central digital platforms including, the Gati Shakti National Master Plan, the portals of relevant research institutions and government systems, to ensure comprehensive data availability and utilisation.

(2) Subject to the provisions of sub-rule (1), the portal shall be interoperable and integrated with,-

(a) the Sagarmala National Logistics Portal (Marine);
(b) the National Single Window System (NSWS);
(c) Management Information Systems (MIS) and Enterprise Resource Planning (ERP) systems of Major Port Authorities and State Maritime Boards; and
(d) such other systems as may be specified by the Central Government, for ensuring seamless data exchange and coordination.

(3) In case the data required to be reported on the said portal is already being recorded by a stakeholder in any other system or portal, the Director-General shall enable building in the necessary integration and synchronisation within the portal for availability of such data on it and to ensure that no repetitive obligation of data entry is created under these rules.

17. Data submission and update protocol. — (1) Licensees and stakeholders shall submit all required data through the portal or any other interoperable portal as specified in sub-rule (1) or sub-rule (2) of rule 16, to be notified by the Director-General, in such forms as shall be provisioned on the relevant portal.

(2) All data on the portal shall be updated, —

(a) automatically upon submission of reports or licence related actions;
(b) once every month by the Director-General or other relevant stakeholders specified by the Director-General;
(c) immediately upon any modification or revocation of licence.

(3) The Director-General shall specify the frequency, format, and validation procedure for updating or verifying data on the portal by the stakeholders.

(4) For all other data related to voyages, routes, and services, updates shall be made at least once a month.

18. Oversight and annual review. — The Director-General shall be the nodal authority responsible for the operation, maintenance, and continuous improvement of the portal and shall, –

(a) ensure compliance with relevant and applicable data protection rules, regulations and guidelines issued by the Ministry of Electronics and Information Technology from time to time; and
(b) arrange for periodic security and performance audits of the portal through agencies authorised for such purposes.

[F. No. SY-19014/182/2025-MG-Part(1) (C.N. 379476)]

MUKESH MANGAL, Addl. Secy.

Schedule I

VOYAGE COMMENCEMENT REPORT

[*See* rule 4(2)(a)]

1. Port, Route and Vessel Details

Field	**Value**
Name of vessel	
IMO Number	
Port or Place of Departure	---------
Date & Time of Scheduled Departure	____/____/_____ ____:____
Intended Route	Next port of call: _____ Intermediate ports or places: _____ Offshore areas / anchorage / lighterage points: _____
Final Port or Place of Destination	_____
Estimated Date & Time of Arrival	____/____/_____ ____:____

2. Cargo / Passenger Information

Nature of Voyage: [ ] Carriage of goods [ ] Carriage of passengers [ ] Both

Field	**Value**
HSN code of Goods/ Services	
Description of goods or category of passengers	_____
Quantity of goods	_____

Number of passengers	
Port(s) or place(s) of Loading	_____
Port(s) or place(s) of Unloading	_____

3. Offshore Operations other than carriage of goods or passengers (if applicable)

Field	**Value**
Details of offshore operation or navigation	_____
Purpose & estimated duration	_____

4. Declaration

I hereby declare that the voyage details furnished above are true, correct, and complete to the best of my knowledge and belief and are submitted in accordance with rule 3 of the Coastal Shipping (Strategic Plan and National Database) Rules, 2026.

Submitted by: [ ] Master [ ] Licensee [ ] Operator [ ] Owner [ ] Charterer

Date & Time of Submission: _____

Schedule II

VOYAGE COMPLETION REPORT

[*See* rule 4(2)(b)]

1. Ports, Route and Vessel Details

Field	Value
Name of vessel	
IMO Number	
Ports or Places of Departure, Intermediate Calls and Destination	_____
Date and Time of Arrival and Departure at Each Port or Place	_____

2. Cargo / Passenger Details

Field	Value
Description, Quantity and Nature of Goods or Passengers Carried	_____
Loading and Unloading Ports	_____

3. Offshore Operations

Details of any offshore area, anchorage or lighterage point where the vessel operated or navigated:

_____

4. Compliance with Directions

Details of compliance with any direction issued under section 35 of the Act: _____

5. Services performed by vessel.

Details:

6. Services Availed

Details of services availed by the vessel engaged in coastal trade: _____

7. Any Other Information

_____

Declaration

I hereby declare that the voyage completion details furnished above are true, correct and complete to the best of my knowledge and belief and are submitted in accordance with rule 3 of the Coastal Shipping (Strategic Plan and National Database) Rules, 2026.

Submitted by: [ ] Master [ ] Licensee [ ] Operator [ ] Owner [ ] Charterer

Date and Time of Submission: _____

Schedule III

Travelling allowance and sitting fee for nominated Members

[*See* rule 13]

Nominated Members

A. Travelling allowance

(i) Retired government officials:

A retired Government official nominated as a Member shall be entitled to Travelling Allowance at the same rate as was admissible to him at the time of retirement, as revised from time to time under the Ministry of Finance, Department of Expenditure O.M. No. 19030/01/2017-E. IV dated 13th July, 2017;

(ii) Persons from various fields:

A nominated Member from any professional field shall be entitled to Travelling Allowance equivalent to that admissible to officers in **Pay Level 11** in the Pay Matrix, as prevalent from time to time; including reimbursement of travel, hotel or guest-house accommodation, local conveyance, and food expenses, as per Department of Expenditure OM F.No.19047/1/2016-E.IV dated 14.09.2017;

(iii) Eminent Personalities:

A nominated Member who is an eminent personality shall be entitled to Travelling Allowance equivalent to that admissible to officers in **Pay Level 14**, in the in the Pay Matrix as prevalent from time to time; including reimbursement of travel, hotel or guest-house accommodation, local conveyance, and food expenses, as per Department of Expenditure OM F.No.19047/1/2016-E.IV dated 14.09.2017.

B. Sitting fee, local mileage and general conditions

Sitting Fee

All nominated Members shall be entitled to receive sitting fees, in accordance with the instructions, guidelines and norms issued by the Government of India from time to time.

Local mileage

(a) A nominated Member who is a local resident of the place of a meeting shall not be entitled to TA/DA for out-station travel.

(b) Such Member shall be entitled only to mileage allowance as follows:

(i) For retired government officials – as per their entitlement at the time of retirement, revised from time to time.

(ii) For persons from various fields – reimbursement of non-AC taxi charges up to ₹338 per day for travel within the city.

(iii) For eminent personalities – reimbursement of AC taxi charges as per actuals for travel within the city.

General Conditions

(a) These entitlements shall apply only to nominated Members coming from outside the place of meeting.
(b) Local nominated Members shall be entitled only to mileage allowance as provided in paragraph B.

(c) Any proposal seeking deviation from these entitlements shall be referred to the Ministry of Finance with full justification.

(d) These rates shall be subject to revision by the Ministry of Finance from time to time.

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and Published by the Controller of Publications, Delhi-110054.

KUMER CHAND MEENA Digitally signed by KUMER CHAND MEENA Date: 2026.05.14 16:57:18 +05'30'

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಕುಸುಮ ಆರ್.ವಿ.)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-26

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 15 ಕೇನಿಪ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ:22.06.2026.

ದಿನಾಂಕ: 25.05.2026ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the National Sports Governance (National Sports Board) Rules, 2026ನ GSR 404 (E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರುಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF YOUTH AFFAIRS AND SPORTS

(Department of Sports)

NOTIFICATION

New Delhi, the 22nd May, 2026

G.S.R. 404(E). — In exercise of the powers conferred by sub-section (1) and clauses (d), (f), (g), (i), (r) and (t) of sub-section (2) of section 31 of the National Sports Governance Act, 2025 (25 of 2025), the Central Government hereby makes the following rules, namely:–

1. **Short title and commencement.** – (1) These rules may be called the National Sports Governance (National Sports Board) Rules, 2026.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Definitions**. – (1) In these rules, unless the context otherwise requires, –

(a) "Act" means the National Sports Governance Act, 2025 (25 of 2025);

(b) "Board" means the National Sports Board established under sub-section (1) of section 5 of the Act;

(c) "Chairperson" means the Chairperson appointed under section 5 of the Act;

(d) "committee" shall have the same meaning as provided under clause (e) to sub-rule (1) of rule 2 of the National Sports Board (Search-cum-Selection Committee) Rules, 2026;

(e) "Member" means a Member appointed under section 5 of the Act, and includes the Chairperson.

(2) Words and expressions used in these rules and not defined herein, but defined in the Act, shall have the meaning respectively assigned to them in the Act.

3. **Composition of Board.** – The Central Government shall appoint the Chairperson and two Members of the Board from the panel of names recommended by the Search-cum-Selection Committee constituted under the National Sports Board (Search-cum-Selection Committee) Rules, 2026.

4. **Declaration of financial and other interests**. – The Chairperson and each of the Members shall, before entering upon his office, and shall declare his assets, liabilities, financial and other interests, on an annual basis, in the form and manner as specified by the Central Government and undertake that he does not have any such financial and other interest as is likely to prejudicially affect his functions as Chairperson or Member, as the case may be.

5. **Term of office of Chairperson and member**s. – (1) The Chairperson and every other Member shall hold office for a term of three years from the date on which they enters upon their office or till they attain the age of sixty-five years, whichever is earlier.

(2) The Chairperson or any Member shall not, during their term of office, hold any position in any International Sports Body, National Sports Body or their affiliate unit, or any National Sports Promotion Organisation.

6. **Selection for re-appointment.** – (1) Any selection for re-appointment as Chairperson or Member of the Board shall be undertaken in accordance with the provisions of National Sports Board (Search-cum-Selection Committee) Rules, 2026.

(2) Subject to the age-limit specified under sub-rule (1) of rule 5, the Chairperson and Members shall be eligible for re-appointment for one more term.

7. **Resignation of Members**. – The Chairperson and any Member may, by notice in writing addressed to the Central Government, resign from his office, and on such resignation being accepted by the Central Government, shall be deemed to have vacated his office.

8. **Removal from office of Chairperson or Member.** – (1) The Central Government shall remove the Chairperson or any Member, of the Board, who —

(a) has been adjudged as insolvent; or

(b) has been convicted of an offence which, in the opinion of the Central Government, involves moral turpitude; or

(c) has become physically or mentally incapable of acting as the Chairperson or a member, as the case may be; or

(d) has acquired such financial or other interest as is likely to affect prejudicially his functions as the Chairperson or a Member, as the case may be.

(2) No Member shall be removed on any grounds specified in clauses (c) and (d) of sub-rule (1) unless a reasonable opportunity is provided to him of making any representation against the proposed action.

9. **Salary of Chairperson and Members**. – (1) A person from the Central Government or State Government or statutory body or autonomous organisations in India, appointed as the Chairperson or Member of the Board on deputation shall be paid salary and allowances of such amount, as may be applicable to Secretary to the Government of India, in the case of the Chairperson and as may be applicable to Additional Secretary to the Government of India, in the case of Members, and the terms and conditions of such appointment shall be as per the extant rules applicable to deputation.

(2) Any other person not covered under sub-rule (1), appointed as the Chairperson or Member of the Board shall be given the following options, namely:-

(a) salary and allowances of such amount, as may be applicable to Secretary to the Government of India, in the case of the Chairperson and as may be applicable to Additional Secretary to the Government of India, in the case of Members; or

(b) consolidated salary of five lakh sixty- two thousand and five hundred (fixed) per month (without house and car) in the case of Chairperson and five lakh rupees (fixed) per month (without house and car) in the case of the Members, which may be revised from time to time by the Central Government.

(3) The salary of a person who is in receipt of any pension from the Central Government or a State Government shall be reduced by the gross amount of pension drawn by him.

10. **Leave, travelling and other allowances**. – (1) The Chairperson and Members shall be entitled to leave, travelling and other allowances as admissible to Secretary to the Government of India, in the case of the Chairperson and as admissible to Additional Secretary to the Government of India, in the case of the Members.

(2) The Chairperson and Members shall have the option to -

(a) avail accommodation to be provided by the Central Government as per the rules admissible to the Government of India officers holding Group 'A' post carrying the same pay; or

(b) shall be eligible for reimbursement of house rent as applicable to Secretary to Government of India in the case of Chairperson, and as applicable to Additional Secretary to the Government of India, in the case of Members;

Provided that this sub-rule shall not apply to persons appointed as the Chairperson or Member of the Board who opt for consolidated salary under clause (b) of sub-rule (2) of rule 9.

11. **Entitlement to Central Government Health Scheme.** – The Chairperson and Members shall be entitled to the benefits of the Central Government Health Scheme on the terms and conditions laid down by the Central Government in this behalf.

12. **Powers and functions of Board.** – (1) In addition to the functions of the Board as provided under the Act, the Board shall perform the following functions, namely:-

(a) the Board shall maintain a roster of the National Sports Election Panel in accordance with the provisions of the National Sports Governance (National Sports Bodies) Rules, 2026;

(b) the Board shall maintain a register of affiliate units of the National Sports Bodies registered with the Board in accordance with the provisions of the National Sports Governance (National Sports Bodies) Rules, 2026; and

(c) the roster of the National Sports Election Panel specified in clause (a) and the register of the affiliate units of the National Sports Bodies specified in clause (c) shall be public documents within the meaning of section 74 of the Bharatiya Sakshya Adhiniyam, 2023 (47 of 2023).

(2) In addition to the powers of the Board specified in section 6 of the Act, the Board may also -

(a) specify model guidelines or regulations in relation to matters of sports governance, as may be specified by or referred to the Board by the Central Government, including with regard to the constitution, operation and procedures of the committees of the National Sports Bodies;

(b) undertake consultations with relevant stakeholders in relation to matters of sports governance in India;

(c) recommend adoption of international covenants and best international practices on sports governance to the National Sports Bodies and their affiliate units; and

(d) organise training programmes, workshops, seminars and conferences, including through collaborations with International Sports Bodies, in relation to matters of sports governance.

13. **Residuary provisions**. – Matters with respect to which no express provision has been made in these rules shall be referred to the Central Government for its decision.

14. **Annual statement of accounts and other relevant records.** – (1) At the end of every financial year, the Board shall prepare its annual statements of accounts, balance sheet, income and expenditure account, and receipt and payment account in the form and manner as specified by the Comptroller and Auditor General of India, for statutory bodies of the Government of India.

(2) The approved statement of accounts of the Board shall be forwarded to the Comptroller and Auditor General of India or any other person appointed by him on his behalf, for the purposes of audit, within three months of the end of the financial year.

(3) The annual statement of accounts of the Board, as certified by the Comptroller and Auditor General of India or any other person appointed by him on his behalf, along with the audit report thereon for every financial year shall be forwarded by the Board to the Central Government, for laying before each House of Parliament.

15. **Maintenance of accounts.** – The Board shall preserve the balance sheet, the income and expenditure account, and the receipt and payment account, as referred to in sub-rule (1) of rule 13, for a period of at least five years, following the year to which they relate.

16. **Branch offices of Board**.– The Board may, based on need and expediency, and subject to prior approval of the Central Government, establish one or more branch offices.

[F. No. 12-12/2025 Gov-1 (Vol-II)]

KUNAL , Jt. Secy.

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ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಕುಸುಮ ಆರ್.ವಿ.)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
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ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 16 ಕೇನಿಪ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ:22.06.2026.

ದಿನಾಂಕ: 22.05.2026ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the National Sports Governance (National Sports Tribunal) Rules, 2026ನ GSR 405 (E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರುಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF YOUTH AFFAIRS AND SPORTS

(Department of Sports)

NOTIFICATION

New Delhi, the 22nd May, 2026

G.S.R. 405(E).— In exercise of the powers conferred by sub-section (1) and clauses (o), (q) and (t) of sub-section (2) of section 31 of the National Sports Governance Act, 2025 (25 of 2025), the Central Government hereby makes the following rules, namely:–

1. Short title and commencement. — (1) These rules may be called the National Sports Governance (National Sports Tribunal) Rules, 2026.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. Definitions. — (1) In these rules, unless the context otherwise requires,

(a) "Act" means the National Sports Governance Act, 2025 (25 of 2025);

(b) "Chairperson" means the Chairperson of the Tribunal appointed in accordance with sub-section (4) of section 17 of the Act;

(c) "Member" means a Member of the Tribunal appointed in accordance with sub-section (4) of section 17 of the Act;

(d) "Search-cum-Selection Committee" means the Search-cum-Selection Committee as provided under sub-section (4) of section 17 of the Act; and

(e) "Tribunal" means the National Sports Tribunal constituted under sub-section (1) of section 17 of the Act.

(2) Words and expressions used in these rules and not defined herein, but defined in the Act, shall have the meaning respectively assigned to them in the Act.

3. Term of office of Chairperson and Members. — (1) The Chairperson shall hold office for a term of five years or till he attain the age of seventy years, whichever is earlier.

(2) The Members shall hold office for a term of five years or till they attain the age of sixty-seven years, whichever is earlier.

4. Selection for appointment of Chairperson and Members. — (1) The Search-cum-Selection Committee shall ensure that any panel recommended by it pursuant to section 17 of the Act, is on an assessment that such persons –

(a) satisfy the criteria for Chairperson or Member as specified in sub-section (2) and sub-section (3) of section 17 of the Act;

(b) are declared medically fit by an authority specified by the Central Government in this behalf; and

(c) do not have any financial or other interest which is likely to affect prejudicially the functions as Chairperson or Member, as the case may be.

5. Selection for re-appointment of Chairperson and Members. — (1) Subject to the age-limit specified under rule 3, the Chairperson and Members shall be eligible for re-appointment for one more term.

(2) An application for re-appointment shall be considered by the Search-cum-Selection Committee in the same manner determined pursuant to sub-section (5) of section 17, as that for the original appointment, preferably, along with all the persons shortlisted by such Committee.

(3) While making its assessment for suitability to a post, the Search-cum-Selection Committee shall give additional weightage to the persons seeking re-appointment for their experience in the Tribunal and while doing so, shall take into account, the performance of the person while working as a Chairperson or a Member in the Tribunal.

6. Retirement or resignation from parent service on appointment as Chairperson or Member. — Where the person appointed as a Chairperson or a Member is a serving Judge of the Supreme Court or a High Court or a serving Member of an organised service, he shall either resign or obtain voluntary retirement from his parent service before joining the Tribunal.

7. Resignation from the Tribunal. — (1) The Chairperson or any Member of the Tribunal may, by writing under his hand addressed to the Central Government, resign from his office at any time.

(2) The Chairperson or such Member shall, unless he is permitted by the Central Government to relinquish office sooner, continue to hold office until the expiry of three months from the date of receipt of such notice or until a person duly appointed as a successor enters upon his office or until the expiry of his term of office, whichever is earlier.

8. Vacancy. — The Central Government shall, within one month from the date of occurrence of any vacancy, including by reason of death, resignation or removal of the Chairperson or a Member, or within three months before the end of tenure of the Chairperson or Member, make a reference to the Search-cum-Selection Committee for filling up of the vacancy.

9. Salary of the Chairperson and Members. — (1) The Chairperson shall be entitled to receive salary of rupees two lakh fifty thousand (fixed) per month.

(2) Each Member, other than the Chairperson, shall be entitled to receive salary of rupees two lakh twenty- five thousand (fixed) per month.

(3) In case a person appointed as the Chairperson, or Member, is in receipt of any pension, the pay of such person shall be reduced by the amount gross of pension drawn by him.

10. Allowances of the Chairperson and Members. — (1) The Chairperson and Members shall be entitled to draw allowances and benefits as are admissible to a Government of India officer holding Group 'A' post carrying the same pay.

(2) Notwithstanding anything contained in sub-rule (1), the Chairperson and Members shall have the option to avail accommodation to be provided by the Central Government or reimbursement of house rent, in accordance with the extant rules of the Central Government.

(3) The Chairperson and Members shall be entitled to the facility of staff car for journeys for official purposes in accordance with the facilities as are admissible to a Central Government officer holding Group 'A' post carrying the same pay as per the provisions of the Staff Car Rules.

11. Pension, provident fund and gratuity. — (1) Where a Chairperson or any Member, as the case may be, is a serving judge of the Supreme Court or a High Court or a person in the service of the Government, at the time of his appointment to the Tribunal –

(a) the service rendered by him in the Tribunal shall count for pension, to be drawn in accordance with the rules of the service or office to which he belongs; and

(b) he shall also be governed by the provisions of the General Provident Fund (Central Services) Rules, 1960.

(2) In all other cases, the Members shall be governed by the provisions of the Contributory Provident Fund (India) Rules, 1962.

(3) Additional pension and gratuity shall not be admissible for service rendered in the Tribunal.

12. Leave. — (1) The leave sanctioning authority in case of the –

(a) Chairperson, shall be the Central Government; and

(b) Members, shall be the Chairperson.

(2) The Chairperson and the Members shall be entitled to thirty days of earned leave for every year of service.

(3) Casual Leave not exceeding eight days in a calendar year may be granted to the Chairperson and the Members.

(4) The payment of leave salary during leave shall be governed by rule 40 of the Central Civil Services (Leave) Rules, 1972.

(5) The Chairperson and the Members shall be entitled to encashment of leave in respect of the earned leave standing to his credit, subject to the condition that maximum leave encashment, including the amount received at the time of retirement from previous service shall not exceed the prescribed limit under the Central Civil Services (Leave) Rules, 1972.

13. Declaration of financial and other interests. — (1) The Chairperson and each of the Members shall, before entering upon his office, and on an annual basis, declare his assets, liabilities, financial and other interests, in the form and manner as specified by the Department of Personnel and Training, in respect of the Central Government employees and undertake that he does not have any such financial and other interest as is likely to prejudicially affect his functions as Chairperson or Member, as the case may be.

14. Other conditions of service. — (1) The terms and conditions of service of the Chairperson, or any Member with respect to which no express provision has been made in these rules, shall be such as are admissible to a Government of India officer holding Group 'A' post carrying the same pay.

(2) The Chairperson and the Members shall not –

(a) practice before the Tribunal, after retirement from the service of the Tribunal;

(b) undertake any arbitration assignment while functioning in their respective capacities in the Tribunal; and

(c) for a period of two years from the date on which they cease to hold office, accept any employment in, or connected with the management or administration of any person, National Sports Body, committee, club or association who is governed by the Act.

(3) Nothing contained in clause (c) of sub-rule (2) shall apply to any employment under the Central Government, State Government, local authority, any statutory authority, any corporation established by or under any Central, State or Provincial Act, or a Government company as defined in clause (45) of section 2 of the Companies Act, 2013 (18 of 2013).

15. Conditions not to be varied. — The salary, allowances, or the terms and conditions of service of the Chairperson or Member, as the case may be, shall not be varied to his disadvantage after his appointment.

16. Oath of office and secrecy. — Every person appointed as the Chairperson or Member, as the case may be, shall, before entering upon his office, make and subscribe an oath of office and secrecy, in the form and manner as may be specified by the Central Government.

17. Powers of the Tribunal. — (1) The Tribunal may make such orders or give such directions as may be necessary to meet the ends of justice or prevent abuse of process.

(2) Subject to the provisions of section 20 of the Act, and in addition to the powers as specified in section 24 of the Act, the Tribunal shall have the power to pass an interim order, including granting an injunction or stay, after providing the parties concerned an opportunity of hearing, in respect of any proceedings under the Act.

18. Enforcement of order. — (1) Any order made by the Tribunal in accordance with the Act shall be executable in the same manner as if it were a decree of a civil court.

(2) Any order made by the Tribunal in accordance with the Act shall be deemed to be a final decree on the expiry of the period allowed for preferring an appeal against such order.

19. Techno-legal measures. — (1) The Central Government may notify a portal for the digital implementation of these rules, including for –

(a) submission of disputes, notices, responses, documents and clarifications, and forms as may be specified with regard to such submissions;

(b) communications from the office of the Tribunal;

(c) publication of orders of the Tribunal;

(d) hearings by virtual mode; and

(e) maintaining a record of the cases, proceedings, orders, forms, and any other requirements under these rules.

(2) After notification of the portal, the orders of the Tribunal shall be digitally signed and shall be conveyed through electronic mode to all parties.

[F. No. 12-12/2025 Gov-1 (Vol-II)]

KUNAL, Jt. Secy.

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ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಕುಸುಮ ಆರ್.ವಿ.)
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ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 17 ಕೇನಿಪ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ:22.06.2026.

ದಿನಾಂಕ: 26.05.2026ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Merchant Shipping (Seafarers Welfare Board and Levy of Fees) Rules, 2026ನ GSR 408 (E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರುಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF PORTS, SHIPPING AND WATERWAYS

NOTIFICATION

New Delhi, the 26th May, 2026

G.S.R. 408(E).— In exercise of the powers conferred by sub-sections (2), (3) and (4) of section 5, read with sub-section (1) and clause (c), (d), and (e) of sub-section (2) of section 6 of the Merchant Shipping Act, 2025 (24 of 2025), and in supersession of the Merchant Shipping (National Welfare Board for Seafarers) Rules, 1963 and the Merchant Shipping (Levy of Seamen's Welfare Fee) Rules, 1974, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules, namely:—

Chapter I – General Provisions

1. Short title, commencement and application. — (1) These rules may be called the Merchant Shipping (Seafarers Welfare Board and Levy of Fees) Rules, 2026.

(2) They shall come into force on the date of their publication in the Official Gazette.

(3) These rules shall apply to—

(a) every owner of Indian vessel; and

(b) all seafarers present within the jurisdiction of India, irrespective of nationality or the flag of the vessel on which they are employed, in respect of access to welfare facilities and services provided under these rules.

2. Definitions.— (1) In these rules, unless the context otherwise requires,—

(a) "Act" means the Merchant Shipping Act, 2025 (24 of 2025);

(b) "Chairperson" means the Chairperson of the Welfare Board;

(c) "Form" means a Form appended to these rules;

(d) "non-official member" means a member of the Welfare Board who is not an official member;

(e) "official-member" means a member of the Board who is a serving government official nominated *ex officio* or otherwise by the Central Government, or a person whose membership arises directly from holding any office under the Central Government, a State Government, or a statutory authority;

(f) "proper officer" means the Shipping Master or such other officer as may be appointed by the Central Government;

(g) "Seafarers Welfare Fund Society" means a society registered as such under the Societies Registration Act, 1860 (21 of 1860);

(h) "Secretary" means the Secretary of the Welfare Board;

(i) "Welfare Board" means the Seafarers Welfare Board constituted under sub-section (1) of section 5 of the Act;

(2) Words and expressions used and not defined in these rules but defined in the Act shall have the meanings respectively assigned to them in the Act.

Chapter II – Seafarers Welfare Board

3. Constitution of the Welfare Board.— (1) The Central Government shall, by notification, constitute the Seafarers Welfare Board for a period of two years at a time:

Provided that where such Board is not constituted by the Central Government upon the expiry of two years from the date of its constitution, the same Board shall continue to function till the successive board is constituted, subject to a maximum period of six months.

(2) The Welfare Board shall perform the advisory functions specified under sub-section (1) of section 5 of the Act having regard to Regulation 4.4, and Standard A4.4 of the Maritime Labour Convention, 2006.

4. Composition of the Welfare Board.— The Welfare Board shall consist of the following members, namely:—

(1) the Secretary to the Government of India, Ministry of Ports, Shipping and Waterways, — Chairperson, *ex officio*;

(2) the Director-General of Maritime Administration, — Vice-Chairperson, *ex officio*;

(3) four representative of the Central Government, **not below the rank of Deputy Secretary to the Government of India**, to be nominated by the Central Government;

(4) ten Government representative from the States and Union territories to be nominated by the Central Government;

(5) four representative from major ports to be nominated by the Central Government;

(6) four representatives of ship owners, to be nominated by the Central Government after consultation with recognised ship-owners' associations;

(7) six representatives of seafarers, to be nominated by the Central Government after consultation with recognised union of seafarers;

(8) four members to be appointed by the Central Government representing societies interested in welfare of seamen;

(9) the Deputy Director-General of Maritime Administration in charge of Seafarer's Welfare, — Member-Secretary, *ex officio*.

5. Term of office.— Every member of the Welfare Board shall hold office for a period of two years from the date of publication of the notification constituting the Welfare Board, unless they resign, or are removed earlier in accordance with rule 8.

6. Casual vacancies.— (1) A casual vacancy in the office of a member shall be filled by nomination by the Central Government.

(2) A member nominated to fill a casual vacancy shall hold office for the remainder of the term of the member in whose place he is nominated.

7. Resignation.— (1) A member may resign from office by communicating in writing to the Chairperson.

(2) The resignation shall not take effect until it is accepted by the Chairperson.

8. Removal of members.— (1) The Central Government may remove a member of the Welfare Board, if he, —

(a) is continuously out of India for more than twelve months without prior permission of the Chairperson;

(b) is absent from three consecutive meetings without permission of the Chairperson;

(c) has been adjudged as an insolvent;

(d) has been convicted of an offence involving moral turpitude;

(e) ceases to represent the category or interest on whose behalf he was appointed; or

(2) The Central Government may remove a member, after recording reasons in writing and providing an opportunity of being heard to such member, if it considers it undesirable for such person to continue as a member.

9. Suspension of representation.— (1) Where, after enquiry, the Central Government is of the opinion that any body, union or association represented on the Welfare Board has acted in a manner prejudicial to the interests of seafarers, it may, by order and for reasons recorded in writing, suspend the right of such body, union or association to be represented on the Welfare Board for the period specified in the order.

(2) Upon such suspension, the member nominated by that body, union or association shall cease to hold office for the duration of the suspension.

(3) A vacancy arising under sub-rule (2) shall not be treated as a casual vacancy under rule 6, and shall be filled only for the period of suspension specified under sub-rule (1).

10. Register of members.— A register of members shall be maintained by the Secretariat of the Welfare Board and shall contain the following particulars in respect of each member, namely:—

(1) name and address;

(2) the capacity in which they serve on the Board and the interests which they represent, where applicable;

(3) date of appointment and term of office;

(4) date and reason for cessation of office; and

(5) any change in the particulars referred to in clauses (1) and (2).

11. Secretary of the Welfare Board.— (1) The Deputy Director-General of Maritime Administration in charge of Seafarers Welfare, *ex-officio* member referred to in sub-rule (1) of rule 4, shall also function as Member Secretary of the Welfare Board.

(2) The duties of the Member Secretary shall include,—

(a) convening meetings under directions of the Chairperson;

(b) maintaining the minutes book and the register of members;

(c) assisting the Chairperson in discharge of duties; and

(d) performing other duties as may be assigned by the Welfare Board from time to time.

12. Meetings of the Welfare Board.— (1) The Welfare Board shall ordinarily meet at least once in every six months, and may meet at such shorter intervals as the Chairperson may consider necessary.

(2) An extraordinary meeting of the Welfare Board shall be convened if not less than five members make a written requisition to the Chairperson specifying the purpose for which such meeting is required.

(3) Every meeting of the Welfare Board shall be presided over—

(a) by the Chairperson; or

(b) in the absence of the Chairperson, by the Vice-Chairperson; or

(c) if both the Chairperson and the Vice-Chairperson are absent, by a member elected by the members present from amongst themselves to preside.

(4) Meetings of the Welfare Board shall be held on such date, time and place as may be decided by the Chairperson.

13. Notice of meetings.— (1) Notice of the place, date and time of each meeting of the Welfare Board shall be given to every member at least fifteen days in advance:

Provided that in cases of urgency, the Chairperson may permit a shorter notice period.

(2) Notice referred to in sub-rule (1) may be served—

(a) by hand delivery, or

(b) by registered post to the last known address of the member, or

(c) by electronic means, including e-mail or other modes of digital communication approved by the Chairperson.

(3) Service of such notice by electronic means shall be deemed sufficient where transmission is confirmed by system delivery status or any other proof of dispatch.

14. Agenda.— (1) Along with the notice of meeting, a list of business proposed for the meeting shall be sent to all members.

(2) No business not included in the agenda shall be transacted except with permission of the Chairperson.

15. Quorum.— (1) The quorum for a meeting of the Welfare Board shall not be less than one-third of the total number of members.

(2) If no quorum is present, the meeting shall be adjourned to a later date not earlier than fourteen days from the original date.

(3) Business at the adjourned meeting may be transacted whether or not quorum is present.

16. Procedure at meetings.— (1) A member wishing to discuss any proposal shall give written notice to the Member Secretary at least seven days before the meeting.

(2) The Chairperson, Vice-Chairperson or the presiding member as the case may be, shall regulate the conduct of the meeting.

17. Voting.— (1) Decisions shall be made by a majority of votes of members present and voting.

(2) In case of a tie, the Chairperson, Vice-Chairperson or the presiding member as the case may be shall have a casting vote.

(3) All votes shall be by show of hands.

18. Minutes of meetings.— (1) Minutes of meetings shall be prepared by the Member Secretary and circulated to all members.

(2) Minutes, along with any amendments suggested, shall be placed for confirmation at the next meeting.

(3) Once confirmed and signed by the Chairperson or presiding member, minutes shall be recorded in the minutes book, which shall remain open for inspection during office hours.

19. Recommendations.— Decisions requiring further action shall be recorded as recommendations and forwarded to the Ministry of Ports, Shipping, and Waterways.

20. Non-members attending meetings.— (1) The Chairperson may invite any person to attend a meeting of the Welfare Board for the purpose of providing expert advice or information relevant to the functions of the Welfare Board.

(2) Persons invited under sub-rule (1) may include representatives of the Central Government, State Governments, shipowners or seafarers organisations, major ports and ports other than major ports, organisations engaged in welfare of seafarers, maritime training institutions, or subject-matter experts in seafarers welfare, maritime labour standards, or related matters.

(3) An invitee shall have the right to participate in discussions, but shall not have a right to vote.

21. Sub-committees.— (1) The Welfare Board may constitute one or more sub-committees, standing or otherwise, to examine and report on matters relating to the functions of the Welfare Board.

(2) A sub-committee shall consist of such members of the Welfare Board, as the Welfare Board may determine, and may also include persons having special knowledge or experience in matters relating to seafarers welfare, maritime labour standards or port welfare operations, as the Welfare Board considers necessary.

(3) Persons who are not members of the Welfare Board but are appointed to a sub-committee shall have the right to participate and advise, but shall not have voting rights.

(4) Sub-committees shall submit their recommendations to the Welfare Board, and no decision of a sub-committee shall be binding unless approved by the Welfare Board.

22. Travelling and daily allowances.— (1) Official members of the Welfare Board and of any sub-committee thereof shall be entitled to travelling and daily allowances for attending meetings or for undertaking any official business of the Welfare Board, in accordance with the terms and conditions prescribed in the Government of India, Ministry of Finance, Office Memorandum No. 19030/01/2017-E.IV dated 13th July 2017, as amended from time to time.

(2) In the case of non-official members of the Welfare Board and of any sub-committee thereof, the entitlements shall be governed by Office Memorandum F. No. 19047/1/2016-E.IV, dated 14th September 2017, as amended from time to time.

(3) The Director-General shall be the controlling authority for sanctioning allowances in respect of non-official members.

(4) Nothing in this rule shall affect the entitlement of any member to receive allowances from his or her employer, where applicable.

CHAPTER III – Levy and Collection of Seafarers Welfare Fees

23. Levy and collection of seafarers welfare fees.— (1) There shall be levied and collected, in respect of each seafarer engaged on board an Indian vessel, an annual welfare fee at the rate of five hundred rupees per year for the purpose of providing amenities and promoting the welfare of seafarers.

(2) The annual welfare fee shall be payable by the owner of the Indian vessel in respect of each seafarer, who is held in engagement on board such vessel as on the first day of April of the relevant financial year.

(3) The annual welfare fee referred to in sub-rule (2) shall be paid on or before the thirtieth day of June of the financial year to which it relates.

(4) The fee shall be paid by electronic transfer to the proper officer, who shall credit such fee to the Government account under the head "XI—Mercantile Marine—Seafarers Welfare Fee" within seven days of receipt.

(5) The proper officer shall issue a receipt for every payment received in Form I.

(6) Every owner shall furnish to the proper officer such information as may be required for the implementation of these rules.

(7) Notwithstanding anything contained in sub-rules (1), (2) and (3), the welfare fee shall be paid within sixty days from the date of commencement of these rules, irrespective of the date of engagement of such seafarer.

24. Welfare fund contributions.— (1) All owners of Indian vessels shall contribute to the Seafarers Welfare Fund Society for all seafarers, other than trainees, engaged by them—

(a) at the rate of **₹500 per seafarer per month,** for foreign-going Indian vessels; and
(b) at the rate of **₹250 per seafarer per month,** for Indian vessels operating in coastal waters.

(2) The Seafarers' Welfare Fund contribution amount referred to in the sub-rule (1) shall be subject to revision by the Director-General, which may be done once in every three years:

Provided that the amount so revised shall not exceed twenty-five percent of the contribution referred to in sub-rule (1).

(3) The contributions referred to in the sub-rule (1), shall be remitted on a quarterly **basis** within fifteen days from the last date of the previous quarter to the Seafarers Welfare Fund Society, by **electronic transfer**, drawn in favour of the Society.

(4) The Seafarers Welfare Fund Society shall issue a receipt for every payment received by it in Form II.

25. Determination of disputes regarding liability.— (1) Where any dispute arises regarding the liability for payment of, or the amount of, the fee payable under these rules, the owner of the vessel may apply in writing to the Director-General for determination of the dispute.

(2) The Director-General shall, after giving the applicant an opportunity of being heard and after examining the relevant records, pass a reasoned order determining the liability.

(3) The decision of the Director-General shall be binding on both the Parties.

26. Refusal of port clearance.— (1) Where any owner of a vessel fails to make payment of the welfare fee due within the time specified in these rules, the proper officer shall serve a notice on the owner of the vessel concerned, calling upon him to pay the fee within thirty days from the date of receipt of such notice. Thereafter, the proper officer may communicate the particulars of the defaulter to the Customs authorities, who shall not grant port clearance to the vessel until the amount of welfare fee due in respect of that vessel, including the expenses of collection, has been paid or until adequate security for payment thereof has been furnished to their satisfaction.

(2) If any vessel, in respect of which welfare fee is payable at any port, leaves such port without the amount referred to in sub-rule (1) having been paid, the Customs authorities may, in writing, require the Customs authorities at any other port to which the vessel may proceed, or at which the vessel may be, to recover the said amount.

(3) The Customs authorities to whom a requisition is sent under sub-rule (2) shall proceed to recover the said amount as if it were payable under these rules at the port at which such authorities are exercising jurisdiction, and a certificate issued by the Customs authorities at the port at which the said amount became payable, specifying the amount due, shall be sufficient proof of such liability in any proceedings under these rules.

(4) Upon recovery of the amount referred to in sub-rule (3), the Customs authorities shall issue a receipt as specified in Form III to the person making the payment, and shall forward a copy of the receipt, along with other relevant papers, if any, to the proper officer through the Customs authorities at the port at which the said amount became payable.

27. Receipts and remittance to Consolidated Fund of India.— (1) The amount of annual welfare fee collected under rule 23 shall be credited to the Consolidated Fund of India under the revenue receipt head "XI — Mercantile Marine — Seafarers Welfare Fee".

(2) The Central Government shall determine, annually, the cost of collection of the welfare fee, and after deduction of such cost from the gross collections, the net proceeds shall, after due appropriation by Parliament, be remitted to the Seafarers Welfare Fund Society.

(3) The remittance under sub-rule (2) shall be debited to the expenditure head
"54 — Mercantile Marine — Contributions/Payments on account of Seafarers Welfare Fee".

(4) The Seafarers Welfare Fund Society shall account for all such receipts in its books and maintain separate records for amounts received under these rules.

28. Utilisation of funds.— (1) The amounts remitted to the Seafarers Welfare Fund Society under these rules shall be utilised solely for the welfare of seafarers and their dependants, including for the establishment, maintenance, operation and improvement of welfare facilities and services, in accordance with Regulation 4.4 and Standard A4.4 of the Maritime Labour Convention, 2006.

(2) Subject to the provisions of sub-rule (1), the utilisation of funds may include expenditure on—

(a) port-based welfare facilities, including accommodation, recreational facilities, information centres and counselling services;

(b) medical, social and educational assistance for seafarers and their dependants;

(c) access to welfare services at ports and other places frequented by seafarers;

(d) measures to facilitate communication, transportation and emergency assistance for seafarers; and

(e) any other welfare measures consistent with the objectives of these rules and the Maritime Labour Convention, 2006.

(3) The Seafarers Welfare Fund Society shall maintain separate accounts for all receipts and expenditures under these rules and shall furnish annual statements of accounts and utilisation certificates to the Central Government.

29. Refund of excess payment.— (1) Where any annual welfare fee, paid under these rules, exceeds the amount actually due, the excess amount shall be refunded on a claim made within twelve months from the date of payment:

Provided that the competent authority may, for reasons to be recorded in writing, extend the time for making such claim by a further period not exceeding twelve months.

(2) Refunds made under sub-rule (1) shall be adjusted under the head
"XI — Mercantile Marine — Deduct Refunds".

30. Maintenance of accounts.— (1) The proper officer shall maintain, in respect of each vessel and the number of crew served, an account in Form IV, indicating—

(a) fees due and collected;

(b) refunds made;

(c) cost of collection; and

(d) amounts remitted to the Seafarers Welfare Fund Society.

(2) The accounts maintained as specified in sub-rule (1) shall be subject to audit in accordance with the directions of the Central Government.

CHAPTER IV – Port-Based Welfare Facilities

31. **Port-based welfare facilities.—** (1) The Port-based welfare facilities shall be provided in accordance with—

(a) the principles contained in Regulation 4.4 of the Maritime Labour Convention, 2006; and

(b) the welfare-related guidelines relating to port-based welfare issued by the Director-General of Maritime Administration, as amended from time to time.

(2) The guidelines referred to in sub-rule (1) shall be facilitative in nature and shall not derogate from, or dilute, the obligations imposed under these rules.

(3) Without prejudice to flexibility based on port size, traffic, terminal configuration and security considerations, port-based welfare services eligible for support under these rules may include,—

(a) communication facilities including internet or Wi-Fi access;

(b) assistance for local communication including SIM cards or recharge facilities;

(c) access to accommodation facilities including hostels, boarding houses or other temporary lodging arrangements, and access to food and basic amenities;

(d) transport arrangements to nearby urban centres, subject to security clearance and operational feasibility;

(e) recreational, cultural and social support facilities;

(f) mental health counselling and psychosocial support services;

(g) medical assistance, referral services and emergency healthcare facilitation;

(h) access to information on local laws, customs and emergency contacts; and

(i) information regarding recognised welfare organisations, legal aid providers and consular assistance.

(4) Welfare-related information shall be disseminated through multilingual notices, maps, digital platforms or such other means as may be appropriate to ensure effective access by seafarers.

32. Non-discrimination and inclusiveness.— (1) The Port-based welfare facilities specified under these rules shall be accessible to all seafarers without discrimination on grounds of nationality, gender, race, religion, rank or flag of vessel.

(2) Appropriate arrangements shall be made to address the specific welfare, health and hygiene needs of women seafarers, including access to menstrual hygiene products and suitable disposal facilities.

33. Inspection and oversight.— (1) The Port-based welfare facilities provided under these rules shall be subject to inspection by the Seafarers Welfare Board Audit Team.

(2) The composition of the Seafarers Welfare Board Audit Team shall be such as may be specified by the Director-General.

(3) The said Audit Team shall assess,—

(a) adequacy of existing welfare facilities and management thereof;

(b) utilisation and accounting of welfare funds; and

(c) such other matters as may be specified.

34. Co-ordination with port authorities.— Nothing in this Chapter shall,—

(a) interfere with the statutory powers of port authorities or State Governments; or

(b) override any special law governing a port,

and implementation of welfare measures under these rules shall be carried out in coordination with the concerned port authority, State Maritime Board or port management entity, as applicable.

FORM I

[See rule 23(5)]

Form — Receipt for Seafarers Welfare Fee

1. Name of Port: _____
2. Seafarers Registration Port: _____
3. Amount Paid: ₹ _____ (in words: _____)
4. Date of Payment Due: _____
5. Actual Date of Payment: _____
6. Vessel Details:
   (a) Name of Vessel: _____
   (b) IMO No. / Official No.: _____
   (c) Tonnage: _____
   (d) Number of Seafarers Signed On: _____
7. Name and Address of Payer : _____
8. Mode of Payment (Cheque/DD/Online Ref. No.): _____

Signature of Proper Officer

(Seal of Office)

Name: _____

Designation: _____

Date: _____

FORM II

[See rule 24(4)]

Form — Receipt for Welfare Fund Contribution

1. Name and Address of Payer: _____
2. Amount Paid: ₹ _____ (in words: _____)
3. Due Date of Payment: _____
4. Actual Date of Payment: _____
5. Quarterly period for which contribution made:
6. Number of seafarers engaged:
    i. On foreign-going Indian vessels:
    ii. Indian vessels operating in coastal waters:

(Seal of Seafarer Welfare Fund Society)
Name: _____
Designation: _____

Date: _____

FORM III

[See Rule 26(4)]

Form — Receipt for Seafarers Welfare Fee (to be issued by Customs authorities)

1. Name of Port: _____
2. Seafarers Registration Port: _____
3. Amount Paid: ₹ _____ (in words: _____)
4. Date of Payment Due: _____
5. Actual Date of Payment: _____
6. Vessel Details:
   (a) Name of Vessel: _____
   (b) IMO No. / Official No.: _____
   (c) Tonnage: _____
   (d) Number of Seafarers Signed On: _____
7. Name and Address of Payer: _____
8. Mode of Payment (Cheque/DD/Online Ref. No.): _____

Signature of Proper Officer

(Seal of Office)

Name: _____

Designation: _____

Date: _____

FORM IV

[See Rule 30]

Proforma Account for Seafarers Welfare Fee (for the Financial Year _____)

a) Seafarers Welfare Fee dues from the owners in respect of

(i) Arrears.

(ii) Current year.

b) Seafarers Welfare Fee actually collected in respect of

(i) Arrears.

(ii) Current Year.

(c) Refund of excess payment under Rule 29.

(d) Cost of collection as determined by the Central Government.

(e) Miscellaneous expenditure, if any.

(f) Amount of levy paid to the Seafarers Welfare Fund Society by Central Government.

[F. No. SY-19014/185/2025-MG-Part (1)]

MUKESH MANGAL, Addl. Secy.

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ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಕುಸುಮ ಆರ್.ವಿ.)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-29

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 18 ಕೇನಿಪ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ:22.06.2026.

ದಿನಾಂಕ: 27.05.2026ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Companies (Corporate Social Responsibility Policy) Amendment Rules, 2026ನ GSR 415 (E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರುಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF CORPORATE AFFAIRS

NOTIFICATION

New Delhi, the 27th May, 2026

G.S.R. 415(E).— In exercise of the powers conferred by section 135 and sub-sections (1) and (2) of section 469 of the Companies Act, 2013 (18 of 2013), the Central Government hereby makes the following rules further to amend the Companies (Corporate Social Responsibility Policy) Rules, 2014, namely:-

1. Short title and commencement. - (1) These rules may be called the Companies (Corporate Social Responsibility Policy) Amendment Rules, 2026.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Companies (Corporate Social Responsibility Policy) Rules, 2014 (hereinafter referred to as the said rules), in rule 2, in the sub-rule (1), -

(i) after clause (h), the following clause shall be inserted, namely: -

'(ha) "Not for Profit Organization" has the same meaning as in clause (e) of regulation 292A of the Securities and Exchange Board of India (Issue of Capital and Disclosure Requirements) Regulations, 2018.';

(ii) after clause (k), the following clause shall be inserted, namely: -

'(l) "zero coupon zero principal instrument" means an instrument declared as a security that is issued by a Not for Profit Organization registered with the Social Stock Exchange segment of a recognised Stock Exchange in accordance with the regulations made by the Securities and Exchange Board of India.'.

3. In the said rules, after rule 4, the following rule shall be inserted, namely:-

"**4A Corporate Social Responsibility implementation through zero coupon zero principal instrument**.-

(1) A company may carry out Corporate Social Responsibility activities through a zero coupon zero principal instrument:

Provided that the expenditure incurred for such instrument shall not exceed ten percent of the total Corporate Social Responsibility expenditure of such company for that financial year.

(2) The company that has subscribed in a zero coupon zero principal instrument shall be exempted from undertaking impact assessment of any project funded by such an instrument.

(3) The Not for Profit Organisation issuing the zero coupon zero principal instrument and raising fund therefrom shall -

(a). undertake a project with a duration not more than three succeeding financial years from the issue of such zero coupon zero principal instrument; and

(b). on termination of listing of such zero coupon zero principal instrument, transfer the unspent amount to any fund included in Schedule VII to the Act and submit its compliance report to the Securities Exchange Board of India;

(4) The provisions of rule 4, except sub-rules (5) and (6) shall be applicable to the implementation of Corporate Social Responsibility through a zero coupon zero principal instrument."

[e-F. No. CSR-10/13/2025-CSR-MCA]

RAHUL JAIN, Jt. Secy.

Note: The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* notification number G.S.R. 129(E), dated the 27th February, 2014 and subsequently amended by notification numbers G.S.R. 644(E), dated the 12th September, 2014, G.S.R. 43(E), dated the 19th January, 2015, G.S.R. 540(E), dated the 23rd May, 2016, G.S.R. 895(E), dated the 19th September, 2018, G.S.R. 526(E), dated the 24th August, 2020, G.S.R. 40(E), dated the 22nd January, 2021, G.S.R. 715(E), dated the 20th September, 2022 and G.S.R. 452(E), dated the 7th July, 2025.

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KUMER CHAND MEENA Digitally signed by KUMER CHAND MEENA Date: 2026.05.29 15:34:16 +05'30'

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಕುಸುಮ ಆರ್.ವಿ.)
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PR-30

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 19 ಕೇನಿಪ್ರ 2026 ಬೆಂಗಳೂರು, ದಿನಾಂಕ:22.06.2026.

ದಿನಾಂಕ: 05.06.2026ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Mineral Conservation and Development (Amendment) Rules, 2026ನ GSR 449(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರುಪ್ರಕಟಿಸಲಾಗಿದೆ,-

MINISTRY OF MINES

NOTIFICATION

New Delhi, the 5th June, 2026

G.S.R. 449(E).— In exercise of the powers conferred by section 18 of the Mines and Minerals (Development and Regulation) Act, 1957 (67 of 1957), the Central Government hereby makes the following rules further to amend the Mineral Conservation and Development Rules, 2017, namely: —

1. Short title and commencement. — (*1*) These rules may be called the Mineral Conservation and Development (Amendment) Rules, 2026.

(*2*) They shall come into force on the date of their publication in the Official Gazette.

2. In the Mineral Conservation and Development Rules, 2017, in Schedule-I, —

(a) in FORM F1, –

(i) in the opening portion, for the words and figures "rule 62 of the Mineral Conservation and Development Rules, 1988", the words and figures "rule 66 of the Mineral Conservation and Development Rules, 2017" shall be substituted;

(ii) in PART -II, after serial number 7, under the heading, –

(A) "@Grades of ROM ore dispatched:", in the table, against rows titled "Iron Ore", under the column relating to "GRADES", after serial number (*a*) and entries relating thereto, the following serial numbers and entries shall be inserted, namely: —

"(*aa*) Below 35% Fe ROM (For Hematite Ore Only)
(*ab*) 35% to below 45% Fe ROM (For Hematite Ore Only)";

(B) "**Grades of minerals to be reported in the above tables are as given below. (If separate grades are not mentioned below, report the mineral name against grade):", in the table, in the rows titled "Iron Ore", under the column relating to "GRADES",—

(*I*) under item number (*i*), after serial number (*a*) and entries relating thereto, the following serial numbers and entries shall be inserted, namely: —

"(*aa*) Below 35% Fe (For Hematite Ore Only)
(*ab*) 35% to below 45% Fe (For Hematite Ore Only)";

(*II*) under item number (*ii*), after serial number (*a*) and entries relating thereto, the following serial numbers and entries shall be inserted, namely: —

"(*aa*) Below 35% Fe (For Hematite Ore Only)
(*ab*) 35% to below 45% Fe (For Hematite Ore Only)";

(*iii*) at the end of the table, Note shall be omitted.

(b) in FORM F2, in the opening portion, for the words and figures "rule 62 of the Mineral Conservation and Development Rules, 1988", the words and figures "rule 66 of the Mineral Conservation and Development Rules, 2017" shall be substituted;

(c) in FORM F3, in the opening portion, for the words and figures "rule 62 of the Mineral Conservation and Development Rules, 1988", the words and figures "rule 66 of the Mineral Conservation and Development Rules, 2017" shall be substituted;

(d) in FORM G1, –

(i) in the opening portion, for the words and figures "rule 62 of the Mineral Conservation and Development Rules, 1988", the words and figures "rule 66 of the Mineral Conservation and Development Rules, 2017" shall be substituted;

(ii) after PART-VII, under the heading, –

(A) "@Grades of ROM ore dispatched:", in the table, against rows titled "Iron Ore", under the column relating to "GRADES", after serial number (*a*) and entries relating thereto, the following serial numbers and entries shall be inserted, namely: —

"(*aa*) Below 35% Fe ROM (For Hematite Ore Only)
(*ab*) 35% to below 45% Fe ROM (For Hematite Ore Only)";

(B) "**Grades of minerals to be reported in the above tables are as given below. (If separate grades are not mentioned below, report the mineral name against grade):", in the table, in the rows titled "Iron Ore", under the column relating to "GRADES", —

(*I*) under item number (*i*), after serial number (*a*) and entries relating thereto, the following serial numbers and entries shall be inserted, namely: —

"(*aa*) Below 35% Fe (For Hematite Ore Only)
(*ab*) 35% to below 45% Fe (For Hematite Ore Only)";

(*II*) under item number (*ii*), after serial number (*a*) and entries relating thereto, the following serial numbers and entries shall be inserted, namely: —

"(*aa*) Below 35% Fe (For Hematite Ore Only)
(*ab*) 35% to below 45% Fe (For Hematite Ore Only)";

(*iii*) at the end of the table, the Note shall be omitted;

(e) in FORM G2, in the opening portion, for the words and figures "rule 62 of the Mineral Conservation and Development Rules, 1988", the words and figures "rule 66 of the Mineral Conservation and Development Rules, 2017" shall be substituted;

(f) in FORM G3, in the opening portion, for the words and figures "rule 62 of the Mineral Conservation and Development Rules, 1988", the words and figures "rule 66 of the Mineral Conservation and Development Rules, 2017" shall be substituted;

(*g*) in FORM L, after "VERIFICATION", under the heading "#Grades of minerals to be reported in the above tables are as given below. (If separate grades are not mentioned below, report the mineral name against grade):", —

(i) in the table, against the rows titled "Iron Ore", under the column relating to "GRADES", –

(*A*) under item number (*i*), after serial number (*a*) and entries relating thereto, the following serial numbers and entries shall be inserted, namely: —

"(*aa*) Below 35% Fe (For Hematite Ore Only)
(*ab*) 35% to below 45% Fe (For Hematite Ore Only)";

(*B*) under item number (*ii*), after serial number (*a*) and entries relating thereto, the following serial numbers and entries shall be inserted, namely: —

"(*aa*) Below 35% Fe (For Hematite Ore Only)
(*ab*) 35% to below 45% Fe (For Hematite Ore Only)";

(*ii*) at the end of the table, the Note shall be omitted.

(*h*) in FORM M, after "VERIFICATION", under the heading "#Grades of minerals to be reported in the above tables are as given below. (If separate grades are not mentioned below, report the mineral name against grade):", —

(*i*) in the table, against the rows titled "Iron Ore", under the column relating to "GRADES", –

(*A*) under item number (*i*), after serial number (*a*) and entries relating thereto, the following serial numbers and entries shall be inserted, namely: —

"(*aa*) Below 35% Fe (For Hematite Ore Only)
(*ab*) 35% to below 45% Fe (For Hematite Ore Only)";

(*B*) under item number (*ii*), after serial number (*a*) and entries relating thereto, the following serial numbers and entries shall be inserted, namely: —

"(*aa*) Below 35% Fe (For Hematite Ore Only)
(*ab*) 35% to below 45% Fe (For Hematite Ore Only)";

(*ii*) at the end of the table, the Note shall be omitted.

[F. No. M.VI-1/6/2021-Mines VI]

KULVEER SINGH YADAV, Jt. Secy.

Note. — The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (*i*) *vide* number G.S.R. 169(E), dated the 27th February, 2017 and were subsequently amended as follows: –

1. G.S.R. 289(E), dated the 27th March, 2018;
2. G.S.R. 570(E), dated the 13th August, 2019;
3. G.S.R. 780(E), dated the 3rd November, 2021;
4. G.S.R. 294(E), dated the 11th April, 2022;
5. G.S.R. 51(E), dated the 21st January, 2024; and
6. G.S.R. 232(E), dated the 16th April, 2025.

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ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ

(ಕುಸುಮ ಆರ್.ವಿ.)
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ
ಸರ್ಕಾರದ ಅಧೀನ ಕಾರ್ಯದರ್ಶಿ
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-31

ಮುದ್ರಕರು ಹಾಗೂ ಪ್ರಕಾಶಕರು:– ಸಂಕಲನಾಧಿಕಾರಿಗಳು, ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ, ಸರ್ಕಾರಿ ಕೇಂದ್ರ ಮುದ್ರಣಾಲಯ, ಬೆಂಗಳೂರು–೫೬೯.

THAMMAIAH